

---

## Summary of Transactions By PRP

---

**PRP Name:** Davis Truck & Equipment **Generator #:** 682

| <b>Date</b> | <b>Source</b> | <b>Qty</b> | <b>Units</b> | <b>Waste Type</b> |
|-------------|---------------|------------|--------------|-------------------|
| 5/2/1988    | Pick Up Order | 539        | Gallons      | Waste Oil         |

**SUM TOTAL**      **539 Gallons**

9390023





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS TEXAS 75202-2733

MAY 17 2005

**URGENT LEGAL MATTER – PROMPT REPLY NECESSARY  
EXPRESS OVERNIGHT MAIL**

**NOTICE OF LIABILITY AND *DE MINIMIS* OFFER TO SETTLE**

Ms. Yolanda Davis  
Davis Truck & Equipment  
90158 South Highway 6  
Clifton, TX 76634

**RE: R&H Oil/Tropicana Superfund Site, San Antonio, Bexar County, Texas**

Dear Ms. Davis:

The U.S. Environmental Protection Agency ("EPA") has been and is currently working to address the contamination at the R&H Oil/Tropicana Superfund Site ("Site") in San Antonio, Texas. The Superfund program is a federal program administered by EPA to clean up hazardous substances, which may pose a threat to human health or the environment. The full name of the Superfund law is the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). The EPA is sending this letter to you because EPA believes that you have sent hazardous material to the Site. The EPA is asking each *de minimis* party responsible for generating hazardous material that was deposited at the Site to pay its fair share of the clean up costs.

To assist you in working with EPA concerning this matter, EPA is providing the following enclosures with this letter:

- Enclosure 1 – Fact sheet on the R&H Oil/Tropicana Site
- Enclosure 2 – Volumetric Ranking and Allocation Table
- Enclosure 3 – Premium Explanation
- Enclosure 4 – Draft Administrative Order on Consent
- Enclosure 5 – Small Business Regulatory Enforcement Fairness Act Information Sheet
- Enclosure 6 – Your Evidentiary Documents

## **NOTICE OF LIABILITY**

Under Section 107(a) of CERCLA, 42 U.S.C. § 9607(A), a generator of hazardous substances found at a site is a responsible party that is liable for all costs incurred in response to the release or threatened release of hazardous substances at the Site. The EPA has documents that indicate you generated hazardous substances that were sent to the Site. Copies of documents that identify your company are attached as Enclosure 6. The EPA has incurred response costs and will incur future response costs in addressing the contamination found at the Site. As of December 31, 2005, EPA has incurred past costs totaling \$2,416,320.82 in responding to contamination at the R&H Oil/Tropicana Site, and EPA expects to incur additional future costs at the Site. In accordance with CERCLA, EPA is seeking recovery of these costs.

## **SITE BACKGROUND**

The Site is a seven-acre inactive oil refinery and waste oil disposal facility at 403 and 507 Somerset in San Antonio, Bexar County, Texas, located approximately five miles southwest of downtown San Antonio. The Site is bordered by an auto service center to the north, the Union Pacific Railroad line to the west, residential, commercial, and industrial development to the south and east, Somerset Road to the east, and Kelly Air Force Base to the west. The Site is located in a densely populated area of San Antonio with ten schools within a one-mile radius. The facility has been abandoned since the early 1990s, with its last operations as a waste oil facility.

On June 14, 2001, the Site was proposed for the National Priorities List. In the fall of 2001, EPA conducted a time-critical removal action at the Site. Additional information regarding the time-critical removal action can be found on EPA's website at: [www.epaosc.net/R&H](http://www.epaosc.net/R&H). At this website, clicking on the "POLREPs" (Pollution Report Profile) button will take you to reports about EPA'S time-critical removal action at the Site.

A remedial investigation and feasibility study ("RI/FS") to identify site characteristics and to define the nature and extent of soil, sediment, air, surface water and ground water contamination and the risks posed by the Site, and to evaluate alternative remedial actions to remove, treat, or contain hazardous substances at the Site will be conducted.

## **EPA SETTLEMENT OFFER**

The EPA's goal is to enter into a fair and equitable agreement with responsible parties. Toward that end, EPA will use certain settlement tools available under the Superfund statute. One of the tools available is a *de minimis* settlement for contributors of relatively minimal amounts of hazardous materials at the Site. This type of settlement enables parties who have made only a minimal contribution of hazardous material to the Site to resolve their liability for the costs incurred and to be incurred in responding to the contamination at the Site.

Based upon business records of Golden Materials & Supply, Inc. and Eldorado Refining & Marketing, Inc., as well as information obtained from responses to CERCLA section 104(e)

Request for Information letters, EPA believes that you may qualify for a *de minimis* settlement. EPA has developed a Volumetric Ranking and Cost Allocation Table for the Site. The Table ranks responsible parties at the Site based on the volume of material they contributed to the Site. The EPA has determined that parties who contributed less than 0.5 percent of the total hazardous materials documented at the Site will be eligible for a *de minimis* settlement.

The offer being made by EPA calls for each party to pay a share of the past costs incurred at the Site, a share of anticipated future costs, and a premium on the share of anticipated future costs to cover the risk that future costs may be greater than anticipated. Your payment amount is based on the quantity of hazardous material you sent to the Site. You can find the amount you must pay to participate in the *de minimis* settlement by reviewing the Volumetric Ranking and Allocation Table included in this letter as Enclosure 2. You can read more information about the premium in Enclosure 3. Note, however, that this offer *does not* address potential claims by the State of Texas under state law, nor does it cover possible claims for natural resource damages under federal or state law. The *de minimis* settlement will be documented in an Administrative Order on Consent ("AOC"). A draft of the Administrative Order on Consent is included in this letter as Enclosure 4 for your review. To enable EPA to offer the most favorable settlement terms to a large number of parties while minimizing transaction costs for all parties, the terms of settlement are not negotiable.

Accepting this settlement offer will resolve your liability for matters relating to the response action at this Site that is addressed in the enclosed AOC. Settling this matter with this offer will ensure that you do not face further federal enforcement actions for Superfund clean up costs at the Site and are protected if sued by other parties for contribution to the clean up costs.

#### **DEADLINE FOR ACCEPTING OFFERS**

In order for you to take advantage of the *de minimis* settlement offer, you must complete the signature page for the Administrative Order on Consent and return it to the EPA within thirty (30) calendar days of your receipt of this letter. **After that date, EPA's *de minimis* settlement offer expires without further notice.** Please be aware that if you do not resolve your liabilities at this Site, you may be subject to legal action by EPA, including a lawsuit, an administrative order to perform work at the Site, or contribution actions by other responsible parties for costs expended regardless of your contribution.

Please mail your completed signature page to:

Ms. Connie Suttice, Enforcement Officer  
U.S. Environmental Protection Agency  
Superfund Cost Recovery Section (6SF-AC)  
1445 Ross Avenue  
Dallas, Texas 75202-2733  
(214) 665-7345  
FAX # (214) 665-6660  
E-mail: [suttice.connie@epa.gov](mailto:suttice.connie@epa.gov)

### **ABILITY-TO-PAY INFORMATION**

The EPA is aware that some parties may be unable to pay the total amount necessary to settle with EPA. If you believe, and can document, that you are financially unable to fully contribute to EPA's costs of the clean up, please contact Ms. Connie Suttice at the address and phone number listed above or Kevin Shade at 214.665.2708, for information on making a claim of ability to pay. You will be requested to submit financial information necessary for EPA to evaluate your claim. Also, please note that because EPA has a potential claim against you, if your financial status changes in any significant way, e.g., filing for bankruptcy, you must include EPA as a creditor.

If you wish to settle, but would face a severe financial hardship by remitting the full payment amount, you may request that EPA review your financial ability to pay. Under EPA policy, it is possible, in appropriate circumstances, for the payment to be made in installments.

### **THE SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT (SBREFA)**

The Small Business Regulatory Enforcement Fairness Act ("SBREFA") established an ombudsman ("SEBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your Standard Industrial Code ("SIC") designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; (in most cases, this means a business with 550 or fewer employees), and wish to comment on federal enforcement and compliance activities, please call the SBREFA Ombudsman's toll-free number at 1.888.REG.FAIR (1.888.734.3247).

As you may be aware of, on January 11, 2002, President Bush signed into law the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. No. 107-118). This Act contains several exemptions to CERCLA liability, which we suggest that all parties to potential settlements evaluate. You may obtain a copy of the law via the Internet at <http://thomas.loc.gov> or <http://www.epa.gov/swerosps/bf/sblrbra.htm>. Also enclosed with this letter is a fact sheet, Enclosure 5, which provides information that may be helpful to small businesses.

### **SERVICE STATION DEALER EXEMPTION**

The EPA has evaluated the applicability of the Service Station Dealer Exemption in Section 114 of CERCLA, 42 U.S.C. §9614(c), to the parties in this case. This exemption from CERCLA liability does not apply because the transactions that impute CERCLA liability all occurred before the exemption took effect on March 8, 1993. However, if you believe this exemption applies to your case because you have information contrary to EPA's determination, please contact Ms. Suttice or Ms. Chiang at the telephone numbers or e-mail addresses

indicated in this letter. For more information the scope and applicability of this exemption, please refer to Section 114 and 101(37)(A) of CERCLA, 42 U.S.C. §§ 9614(c) and 9601(37)(A), and the regulations implementing is exemption at 57 Federal Register 41612 (Sept. 10, 1992) or via Internet at

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund/serv-sta-exemp-mem.pdf>.

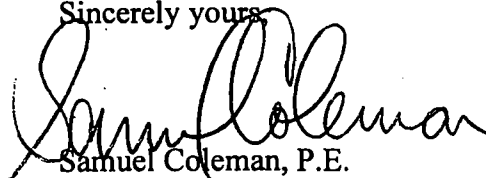
### **YOUR RESPONSE TO EPA**

Please notify Ms. Suttice, in writing, at the address in this letter, **within 30 (30) calendar days of the date you receive this letter** to indicate your willingness to settle this matter. If EPA does not receive your response within thirty (30) calendar days, EPA will assume that you do not wish to settle your liabilities at this Site. In which case, EPA may pursue civil litigation and/or other statutory options to recover its costs at the Site.

If you wish to settle with the EPA, please return the signature page of the enclose Administrative Order on Consent. **PLEASE DO NOT SEND YOUR CHECK WITH THE SIGNED ORDER.** The payment provisions in the Order are not triggered until the AOC becomes final. For the AOC to become final, it must be approved by the U.S. Department of Justice and proceed through a thirty-day public comment period. Once the AOC is effective, you will receive formal notice from EPA, and your payment obligations will begin.

Your response to this letter and questions regarding the matters in this letter should be directed to Connie Suttice, Enforcement Officer, at 214.665.7345, [suttice.connie@epa.gov](mailto:suttice.connie@epa.gov), or Kevin Shade, Enforcement Officer, at 214.665.2708, [shade.KEVIN@epa.gov](mailto:shade.KEVIN@epa.gov). If you have technical questions regarding anticipated remedial action at the Site, please contact Chris Villarreal, Remedial Project Manager, at 214.665.6758 or [Villarreal.chris@epa.gov](mailto:Villarreal.chris@epa.gov). If you or your attorney has legal questions, please direct them to Ms. I-Jung Chiang, Superfund Attorney, at 214.665.2160 or [chiang.i-jung@epa.gov](mailto:chiang.i-jung@epa.gov).

Sincerely yours



Samuel Coleman, P.E.

Director

Superfund Division

Enclosures

**ENCLOSURE 1**  
**R&H OIL/TROPICANA SUPERFUND SITE FACT SHEET**

## R&H OIL/TROPICANA SITE UPDATE

San Antonio  
Bexar County, Texas  
December 2001



## ACTUALIZACIÓN SOBRE EL SITIO DE R&H OIL/TROPICANA

San Antonio  
Condado Bexar, Texas  
Diciembre 2001

- In June 2001, the EPA and the State requested placing R&H Oil/Tropicana Site on the National Priorities List (NPL)
- The NPL is EPA's list of places that have environmental, health, and safety problems.
- In mid-August 2001, the EPA started cleaning up the site to remove all material in the tanks and equipment at the site.
- On October 10, the initial cleanup was done. The EPA left, but will return next year for additional work.
- Planning has started for the next phase of the clean up (Remedial)
- Technical Assistance Grant available - help people understand - *what the EPA is doing at the site.*



The EPA did the following work:

- Removed asbestos from the site
- Removed used oils
- Removed all equipment
- Removed all liquid waste
- Tore down all storage tanks
- Removed some oily soils and 600 tons of scrap iron



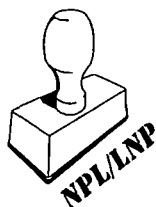
### BACKGROUND

- The R&H Oil/Tropicana Site was used for various petroleum oil refining and waste oil refining operations from 1934 through the early 1990s.
- The Tropicana Energy portion of the Site was also a fuel blending plant before it shut down in approximately 1990.
- The sites are less than 1/4 mile from Kelly Air Force Base and are located at 403 and 419 Somerset Road in San Antonio, Bexar County, Texas.
- Ten schools are located within one mile.



### NEXT STEPS

- A lot of oily soil has been found at the site which will be addressed later.
- The site may be listed next year as Final to the National Priorities List.



- En junio de 2001, la Agencia de Protección Ambiental de los Estados Unidos propuso incluir el sitio de R&H Oil/Tropicana en la Lista Nacional de Prioridades.
- Mantenido por la EPA, la NPL es una lista de sitios que presentan problemas para la salud, seguridad, y el medio ambiente.
- A mediados de agosto de 2001, la EPA inició la limpieza del sitio y removió todos los materiales en los tanques y equipos del sitio.
- En octubre 10, se terminó la fase inicial de la limpieza. La EPA dejó pero regresará el próximo año para tomar acciones adicionales.
- Se ha empezado la planificación para la próxima fase de la limpieza (acciones remediales).
- Concesiones del Fondo de Asistencia Técnica proveen ayuda a residentes del área para que entiendan la medidas que está tomando la EPA en el sitio.

La EPA tomó las siguientes medidas:

- Remoción de asbesto del sitio
- Remoción de combustible usado
- Remoción de equipos
- Remoción de líquidos corrosivos
- Destrucción de todos los tanques de almacenamiento
- Remoción de suelos contaminados con combustible y 600 toneladas de hierro

### ANTECEDENTES

- El sitio R&H Oil/Tropicana fue utilizado para varios usos de refinería y re-refinería de petróleo desde 1934 hasta los primeros años de los 1990s.
- El segmento del sitio de Tropicana Energy también funcionó como sitio de mezcla de combustible antes de cerrarse en aproximadamente 1990.
- Los sitios están ubicados menos de 1/4 de milla de la Base de la Fuerza Aérea Kelly y en 403 y 419 de la calle Somerset en San Antonio en el Condado de Bexar, Texas
- A no más de una milla se encuentran diez escuelas.

### LOS PRÓXIMOS PASOS

- Se tomarán medidas en el futuro para enfrentar las grandes cantidades de los suelos contaminados con combustible.
- Se espera incluir este sitio en la Lista Nacional de Prioridades el año próximo tomará una decisión final en cuanto a la inclusión del Sitio en la NPL.



---

## **THE U.S. ENVIRONMENTAL PROTECTION AGENCY COMPLETES TIME-CRITICAL REMOVAL ACTION, BEGINS REMEDIAL PLANNING**

In June 2001, the U.S. Environmental Protection Agency (EPA) proposed the R&H Oil/Tropicana Site (Site) to the National Priorities List (NPL). The NPL is EPA's list of sites that appear to pose the greatest threats to public health, welfare or and the environment.

In mid-August 2001, the EPA began a Superfund time-critical removal action to remove the potential source of contamination to the ground water posed by the contained hazardous substances located on the Sites. The EPA removal actions included the removal of asbestos-containing materials, hazardous substances, and demolition of buildings and the above-ground storage tanks that pose an imminent and substantial endangerment to public health and welfare and the environment. On October 10, EPA completed the time-critical removal phase of the Site cleanup.

The EPA remedial planning phase of the cleanup is underway. After final listing on the NPL, the EPA will notify Potentially Responsible Parties (PRPs) and request their assistance in conducting or financing a remedial investigation/feasibility study and any remedial action cleanup determined necessary by EPA. The EPA anticipates that the Site will be included on the NPL by spring 2002.

### **REMOVAL ACTIONS**

The specifics of the EPA time-critical removal action included:

- Removal of approximately 30 cubic yards of asbestos-containing material (pipe and equipment thermal insulation, building tile and mastic);
- Removal of 86,000 gallons of liquid wastes;
- Removal of 1500 cubic yards of contaminated soil and sludge;
- Removal of 120 cubic yards of oily debris;
- Removal of 587 tons of scrap steel resulting from the demolition of the facilities.

### **TECHNICAL ASSISTANCE GRANT**

In October 2001, the EPA received a Technical Assistance Grant (TAG) application for the R&H Oil/Tropicana Site from Yolonda Johnson, the President of the Resource Center for Community Health and Environmental Justice. The TAG funds can be used to hire a Technical Advisor to interpret Site studies and/or Site related health information for area residents. Because remedial work has not yet started, the awarding of the TAG is on hold until spring 2002.

### **BACKGROUND**

The R&H Oil/Tropicana Site was used for various petroleum oil refining operations since approximately 1934. The final use of the R&H Oil Site was for used oil storage and/or processing, and early information indicates the Site was likely abandoned in the early 1990s. The final use of the Tropicana Energy Company Site was for fuel blending operations before the Site was abandoned in approximately 1990. The Site generates significant community interest as they are located less than 1/4 mile from Kelly Air Force Base. The Site is located at 403 and 419 Somerset Road in San Antonio, Bexar County, Texas. The Missouri Pacific Railroad, residential and industrial facilities border the facilities on the south side. The Site is bordered on the east by Somerset Road, commercial and residential properties, and to the west by commercial properties and Kelly Air Force Base. Ten schools are located within a one mile radius of the Site.

### **NEXT STEPS**

If the Site is listed on the NPL, the EPA will issue notice letters to owners, operators, generators, and transporters (i.e., Potentially Responsible Parties), thereby initiating negotiations. The focus of the negotiations will be to recover cost incurred during the EPA's time-critical removal actions and to implement the Site's remedial investigation. The remediation investigation will focus on the Site's extensive soil contamination and the underlying ground water.

## FOR MORE INFORMATION

If you have questions concerning the activities at the R&H Oil/Tropicana Site, please contact:

**Gary Moore**

**Federal On-Scene Coordinator**

U.S. EPA Region 6

1445 Ross Avenue

Dallas, TX 75202-2733

(214) 665-6609 or toll free 1-800-533-3508

**Chris Villarreal**

**Remedial Project Manager**

U.S. EPA Region 6

1445 Ross Avenue

Dallas, TX. 75202-2733

(214) 665-6758 or toll free 1-800-533-3508

**Donn Walters**

**Community Involvement Coordinator**

U.S. EPA Region 6

1445 Ross Avenue

Dallas, TX 75202-2733

(214) 665-6483 or toll free 1-800-533-3508

**Tim Wilson**

**Community Involvement Coordinator/S.E.E.**

U.S. EPA Region 6

1445 Ross Avenue

Dallas, TX 75202-2733

(214) 665-2248 or toll free 1-800-533-3508

Inquiries from the news media should be directed to Dave Bary, U.S. EPA Region 6 Press Officer, (214) 665-2208.

If you would like your name and address placed on the Site mailing list, please call 1-800-533-3508 or mail this coupon to :

**Donn Walters**

**Community Involvement Coordinator**

U.S. EPA (6SF-PO)

1445 Ross Avenue

Dallas, TX 75202-2733

## ON THE WEB.....

**U.S. EPA Headquarters:** [www.epa.gov](http://www.epa.gov)

**U.S. EPA Region 6:** [www.epa.gov/region6](http://www.epa.gov/region6)

**U.S. EPA Region 6 Superfund Division:**

[www.epa.gov/region6/superfund](http://www.epa.gov/region6/superfund)

Information Repositories are located at:

Pan American Library

1122 West Pyron Avenue

San Antonio, TX. 78221

Telephone: 210-924-8164

U.S. EPA Region 6

7<sup>th</sup> Floor Library

1445 Ross Avenue, Ste. 12D13

Dallas, TX 75202

(214) 665-2792

If you wish to be placed on the R&H Oil/Tropicana Site mailing list, please fill out and mail this coupon to:

**Mr. Donn Walters**  
**Community Involvement Coordinator**  
**U.S. EPA Region 6 (6SF-PO)**  
**1445 Ross Avenue**  
**Dallas, TX 75202**



Name: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_



**ENCLOSURE 2**  
**VOLUMETRIC RANKING AND COST ALLOCATION TABLE**

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name   | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 1     | Defense Reutilization Marketing Service (DRMS): Barksdale AFB + Fort Hood + Kelly AFB + Lackland AFB + Randolph AFB + Red River/Texarkana + Sheppard AFB           | 208,506  | 23.65655%   | \$ 428,713.62   | \$ 3,037,501.12   | \$ 3,466,214.75                          | \$3,037,501.12                           | \$6,503,715.87                                |
| 2     | S & J Petroleum Inc.   | 57,412   | 6.51382%  | \$ 118,046.03   | \$ 836,374.08   | \$ 954,420.12                            | \$836,374.08                             | \$1,790,794.20                                |
| 3     | E G & G Automotive Research  | 51,150   | 5.80335%  | \$ 105,170.60   | \$ 745,149.70   | \$ 850,320.30                            | \$745,149.70                             | \$1,595,469.99                                |
| 4     | Kolb, Howard   | 42,432   | 4.81422%  | \$ 87,245.34  | \$ 618,146.47   | \$ 705,391.81                            | \$618,146.47                             | \$1,323,538.28                                |
| 5     | SMI (Structural Metals Inc.)   | 31,556   | 3.58026%  | \$ 64,882.96  | \$ 459,705.65   | \$ 524,588.61                            | \$459,705.65                             | \$984,294.26                                  |
| 6     | Holcomb, Phillip   | 29,841   | 3.38568%  | \$ 61,356.71  | \$ 434,721.64   | \$ 496,078.36                            | \$434,721.64                             | \$930,800.00                                  |
| 7     | A-1 Lee Oil Service  | 28,000   | 3.17681%  | \$ 57,571.40  | \$ 407,902.08   | \$ 465,473.48                            | \$407,902.08                             | \$873,375.56                                  |
| 8     | Stewart & Stevenson  | 16,535   | 1.87602%  | \$ 33,997.97  | \$ 240,880.75   | \$ 274,878.71                            | \$240,880.75                             | \$515,759.46                                  |
| 9     | Trans America  | 15,621   | 1.77232%  | \$ 32,118.67  | \$ 227,565.66   | \$ 259,684.33                            | \$227,565.66                             | \$487,249.99                                  |
| 10    | Firestone  | 12,562   | 1.42525%  | \$ 25,829.00  | \$ 183,002.36   | \$ 208,831.35                            | \$183,002.36                             | \$391,833.71                                  |
| 11    | Martin, Walter   | 12,248   | 1.38963%  | \$ 25,183.37  | \$ 178,428.02   | \$ 203,611.40                            | \$178,428.02                             | \$382,039.42                                  |
| 12    | National Lube N Zoom   | 11,157   | 1.26584%  | \$ 22,940.15  | \$ 162,534.41   | \$ 185,474.56                            | \$162,534.41                             | \$348,008.97                                  |
| 13    | Mission Transport  | 8,800  | 0.99843%  | \$ 18,093.87  | \$ 128,197.80   | \$ 146,291.66                            | \$128,197.80                             | \$274,489.46                                  |
| 14    | Alamo Drum Company   | 8,041  | 0.91231%  | \$ 16,533.27  | \$ 117,140.74   | \$ 133,674.01                            | \$117,140.74                             | \$250,814.75                                  |
| 15    | Cook, John   | 7,675  | 0.87079%  | \$ 15,780.73  | \$ 111,808.87   | \$ 127,589.60                            | \$111,808.87                             | \$239,398.48                                  |
| 16    | Dixie Oil  | 7,508  | 0.85184%  | \$ 15,437.36  | \$ 109,376.03   | \$ 124,813.39                            | \$109,376.03                             | \$234,189.42                                  |
| 17    | Wal-Mart   | 7,023  | 0.79681%  | \$ 14,440.14  | \$ 102,310.58   | \$ 116,750.72                            | \$102,310.58                             | \$219,061.31                                  |
| 18    | Renewed Oil Service  | 7,000  | 0.79420%  | \$ 14,392.85  | \$ 101,975.52   | \$ 116,368.37                            | \$101,975.52                             | \$218,343.89                                  |
| 19    | Exxon/Mobil: Exxon no address + 1038 Culebra + Boswell Exxon + Exxon Car Care Center + Exxon Churchill + Mobil Service Station + Exxon West Ave. + Hot Wells Exxon | 6,370  | 0.72272%  | \$ 13,097.49  | \$ 92,797.72  | \$ 105,895.22                            | \$92,797.72                              | \$198,692.94                                  |
| 20    | San Antonio State Chest Hospital   | 5,737  | 0.65091%  | \$ 11,795.97  | \$ 83,576.22  | \$ 95,372.19                             | \$83,576.22                              | \$178,948.41                                  |
| 21    | Econo Lube N Tune + Alfred Mora + George Dominguez   | 5,540  | 0.62855%  | \$ 11,390.91  | \$ 80,706.34  | \$ 92,097.25                             | \$80,706.34                              | \$172,803.59                                  |
| 22    | L & H Packing  | 4,611  | 0.52315%  | \$ 9,480.78   | \$ 67,172.73  | \$ 76,653.51                             | \$67,172.73                              | \$143,826.24                                  |
| 23    | BFI Waste Systems  | 4,445  | 0.50432%  | \$ 9,139.46   | \$ 64,754.46  | \$ 73,893.91                             | \$64,754.46                              | \$138,648.37                                  |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 1 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name  | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---|--|---|---|---|--|--|---|
| 24    | Mercury Fleet Service, Inc.   | 4,169  | 0.47300%  | \$ 8,571.97   | \$ 60,733.71  | \$ 69,305.68                             | \$60,733.71                              | \$130,039.38                                  |
| 25    | Moody, Leroy  | 3,700  | 0.41979%  | \$ 7,607.65   | \$ 53,901.35  | \$ 61,509.00                             | \$53,901.35                              | \$115,410.34                                  |
| 26    | U-Haul  | 3,603  | 0.40879%  | \$ 7,408.20   | \$ 52,488.26  | \$ 59,896.46                             | \$52,488.26                              | \$112,384.72                                  |
| 27    | Ballenger Construction Co.  | 3,525  | 0.39994%  | \$ 7,247.83   | \$ 51,351.96  | \$ 58,599.79                             | \$51,351.96                              | \$109,951.74                                  |
| 28    | City of San Antonio: San Antonio Police Dept.,<br>City Public Works, City of San Antonio Water<br>Board, San Antonio Dept of Aviation | 3,429  | 0.38905%  | \$ 7,050.44   | \$ 49,953.44  | \$ 57,003.88                             | \$49,953.44                              | \$106,957.31                                  |
| 29    | Trans Check Transmission  | 3,308  | 0.37532%  | \$ 6,801.65   | \$ 48,190.72  | \$ 54,992.37                             | \$48,190.72                              | \$103,183.08                                  |
| 30    | G & H Equipment   | 3,297  | 0.37407%  | \$ 6,779.03   | \$ 48,030.47  | \$ 54,809.50                             | \$48,030.47                              | \$102,839.97                                  |
| 31    | Nogalitos Gear  | 3,211  | 0.36431%  | \$ 6,602.21   | \$ 46,777.63  | \$ 53,379.83                             | \$46,777.63                              | \$100,157.46                                  |
| 32    | Garbage Gobbler   | 3,181  | 0.36091%  | \$ 6,540.52   | \$ 46,340.59  | \$ 52,881.11                             | \$46,340.59                              | \$99,221.70                                   |
| 33    | Slimp Oil Company   | 3,092  | 0.35081%  | \$ 6,357.53   | \$ 45,044.04  | \$ 51,401.57                             | \$45,044.04                              | \$96,445.62                                   |
| 34    | Coastal Transport Inc.  | 3,059  | 0.34707%  | \$ 6,289.67   | \$ 44,563.30  | \$ 50,852.98                             | \$44,563.30                              | \$95,416.28                                   |
| 35    | Alamo Truck Center, Inc.  | 2,950  | 0.33470%  | \$ 6,065.56   | \$ 42,975.40  | \$ 49,040.96                             | \$42,975.40                              | \$92,016.35                                   |
| 36    | Master-Lube / AIAS, Inc.  | 2,854  | 0.32381%  | \$ 5,868.17   | \$ 41,576.88  | \$ 47,445.05                             | \$41,576.88                              | \$89,021.92                                   |
| 37    | Western Auto  | 2,825  | 0.32052%  | \$ 5,808.54   | \$ 41,154.41  | \$ 46,962.95                             | \$41,154.41                              | \$88,117.36                                   |
| 38    | UPS Truck Leasing   | 2,759  | 0.31303%  | \$ 5,672.84   | \$ 40,192.92  | \$ 45,865.76                             | \$40,192.92                              | \$86,058.68                                   |
| 39    | Hertz Rent-A-Car  | 2,753  | 0.31235%  | \$ 5,660.50   | \$ 40,105.52  | \$ 45,766.02                             | \$40,105.52                              | \$85,871.53                                   |
| 40    | Grace Equipment   | 2,479  | 0.28126%  | \$ 5,097.12   | \$ 36,113.90  | \$ 41,211.03                             | \$36,113.90                              | \$77,324.93                                   |
| 41    | Smith Chevrolet/Motor Sales   | 2,387  | 0.27082%  | \$ 4,907.96   | \$ 34,773.65  | \$ 39,681.61                             | \$34,773.65                              | \$74,455.27                                   |
| 42    | Fleming Foods   | 2,286  | 0.25936%  | \$ 4,700.29   | \$ 33,302.29  | \$ 38,002.58                             | \$33,302.29                              | \$71,304.88                                   |
| 43    | Thermo King   | 2,176  | 0.24688%  | \$ 4,474.12   | \$ 31,699.82  | \$ 36,173.94                             | \$31,699.82                              | \$67,873.76                                   |
| 44    | Pipelayers, Inc.  | 2,130  | 0.24166%  | \$ 4,379.54   | \$ 31,029.69  | \$ 35,409.23                             | \$31,029.69                              | \$66,438.93                                   |
| 45    | PEP Boys  | 2,115  | 0.23996%  | \$ 4,348.70   | \$ 30,811.18  | \$ 35,159.87                             | \$30,811.18                              | \$65,971.05                                   |
| 46    | Wards Auto Express  | 2,042  | 0.23168%  | \$ 4,198.60   | \$ 29,747.72  | \$ 33,946.32                             | \$29,747.72                              | \$63,694.03                                   |
| 47    | Bradly, D.  | 2,000  | 0.22691%  | \$ 4,112.24   | \$ 29,135.86  | \$ 33,248.11                             | \$29,135.86                              | \$62,383.97                                   |
| 48    | Quick-Ten-Lube  | 1,965  | 0.22294%  | \$ 4,040.28   | \$ 28,625.99  | \$ 32,666.26                             | \$28,625.99                              | \$61,292.25                                   |
| 49    | Ingram Ready Mix  | 1,936  | 0.21965%  | \$ 3,980.65   | \$ 28,203.52  | \$ 32,184.17                             | \$28,203.52                              | \$60,387.68                                   |
| 50    | Capital Equipment   | 1,901  | 0.21568%  | \$ 3,908.69   | \$ 27,693.64  | \$ 31,602.32                             | \$27,693.64                              | \$59,295.96                                   |
| 51    | Hertz-Penske Truck Leasing  | 1,884  | 0.21375%  | \$ 3,873.73   | \$ 27,445.98  | \$ 31,319.72                             | \$27,445.98                              | \$58,765.70                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name   | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 52    | Grace Drilling   | 1,834  | 0.20808%  | \$ 3,770.93   | \$ 26,717.59  | \$ 30,488.51                             | \$26,717.59                              | \$57,206.10                                   |
| 53    | UPS  | 1,812  | 0.20558%  | \$ 3,725.69   | \$ 26,397.09  | \$ 30,122.78                             | \$26,397.09                              | \$56,519.88                                   |
| 54    | Gillman Honda/Gillman Mitsubishi   | 1,789  | 0.20298%  | \$ 3,678.40   | \$ 26,062.03  | \$ 29,740.43                             | \$26,062.03                              | \$55,802.46                                   |
| 55    | Chaparral Air/Aviation   | 1,778  | 0.20173%  | \$ 3,655.78   | \$ 25,901.78  | \$ 29,557.57                             | \$25,901.78                              | \$55,459.35                                   |
| 56    | AAMCO/AAMCO Transmission   | 1,704  | 0.19333%  | \$ 3,503.63   | \$ 24,823.76  | \$ 28,327.39                             | \$24,823.76                              | \$53,151.14                                   |
| 57    | Bexar Tire   | 1,683  | 0.19095%  | \$ 3,460.45   | \$ 24,517.83  | \$ 27,978.28                             | \$24,517.83                              | \$52,496.11                                   |
| 58    | Firebird Fleet Service/Mobil Oil   | 1,667  | 0.18913%  | \$ 3,427.55   | \$ 24,284.74  | \$ 27,712.30                             | \$24,284.74                              | \$51,997.04                                   |
| 59    | GLI/Williams Distributing  | 1,639  | 0.18596%  | \$ 3,369.98   | \$ 23,876.84  | \$ 27,246.82                             | \$23,876.84                              | \$51,123.66                                   |
| 60    | AAFES: Lackland Service Station, Ft. Sam<br>Houston Service Center, and Kelly AFB<br>Service Station | 1,626  | 0.18448%  | \$ 3,343.25   | \$ 23,687.46  | \$ 27,030.71                             | \$23,687.46                              | \$50,718.17                                   |
| 61    | Trans World Transmission   | 1,562  | 0.17722%  | \$ 3,211.66   | \$ 22,755.11  | \$ 25,966.77                             | \$22,755.11                              | \$48,721.88                                   |
| 62    | Renken & Kuentz Trans  | 1,511  | 0.17143%  | \$ 3,106.80   | \$ 22,012.14  | \$ 25,118.94                             | \$22,012.14                              | \$47,131.09                                   |
| 63    | Tom Ryan Chevrolet   | 1,487  | 0.16871%  | \$ 3,057.45   | \$ 21,662.51  | \$ 24,719.97                             | \$21,662.51                              | \$46,382.48                                   |
| 64    | HEB Food Stores - Construction   | 1,459  | 0.16553%  | \$ 2,999.88   | \$ 21,254.61  | \$ 24,254.49                             | \$21,254.61                              | \$45,509.11                                   |
| 65    | Chemical Express   | 1,428  | 0.16202%  | \$ 2,936.14   | \$ 20,803.01  | \$ 23,739.15                             | \$20,803.01                              | \$44,542.15                                   |
| 66    | National Oilwell   | 1,405  | 0.15941%  | \$ 2,888.85   | \$ 20,467.94  | \$ 23,356.79                             | \$20,467.94                              | \$43,824.74                                   |
| 67    | Mr. Transmission   | 1,381  | 0.15668%  | \$ 2,839.50   | \$ 20,118.31  | \$ 22,957.82                             | \$20,118.31                              | \$43,076.13                                   |
| 68    | Overdrive Transmission   | 1,298  | 0.14727%  | \$ 2,668.85   | \$ 18,909.18  | \$ 21,578.02                             | \$18,909.18                              | \$40,487.20                                   |
| 69    | L. Fisher Freight, Inc.  | 1,291  | 0.14647%  | \$ 2,654.45   | \$ 18,807.20  | \$ 21,461.65                             | \$18,807.20                              | \$40,268.85                                   |
| 70    | Payton Southwestern  | 1,275  | 0.14466%  | \$ 2,621.55   | \$ 18,574.11  | \$ 21,195.67                             | \$18,574.11                              | \$39,769.78                                   |
| 71    | Paka Construction  | 1,231  | 0.13967%  | \$ 2,531.09   | \$ 17,933.12  | \$ 20,464.21                             | \$17,933.12                              | \$38,397.33                                   |
| 72    | Alamo City Trucking/Alamo City Truck Service   | 1,229  | 0.13944%  | \$ 2,526.97   | \$ 17,903.99  | \$ 20,430.96                             | \$17,903.99                              | \$38,334.95                                   |
| 73    | Pepsi-Cola Bottling Co.  | 1,206  | 0.13683%  | \$ 2,479.68   | \$ 17,568.93  | \$ 20,048.61                             | \$17,568.93                              | \$37,617.53                                   |
| 74    | Hatch & Kirk Inc.  | 1,200  | 0.13615%  | \$ 2,467.35   | \$ 17,481.52  | \$ 19,948.86                             | \$17,481.52                              | \$37,430.38                                   |
| 75    | PDQ Concrete   | 1,175  | 0.13331%  | \$ 2,415.94   | \$ 17,117.32  | \$ 19,533.26                             | \$17,117.32                              | \$36,650.58                                   |
| 76    | Tom Fairey Company   | 1,151  | 0.13059%  | \$ 2,366.60   | \$ 16,767.69  | \$ 19,134.28                             | \$16,767.69                              | \$35,901.97                                   |
| 77    | Cavender Olds  | 1,148  | 0.13025%  | \$ 2,360.43   | \$ 16,723.99  | \$ 19,084.41                             | \$16,723.99                              | \$35,808.40                                   |
| 78    | Mark Industries  | 1,143  | 0.12968%  | \$ 2,350.15   | \$ 16,651.15  | \$ 19,001.29                             | \$16,651.15                              | \$35,652.44                                   |
| 79    | R. L. Jones Construction   | 1,116  | 0.12662%  | \$ 2,294.63   | \$ 16,257.81  | \$ 18,552.44                             | \$16,257.81                              | \$34,810.25                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 3 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                            | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|-------------------------------------|--|---|---|---|--|--|---|
| 80    | Sani-Fresh                          | 1,115  | 0.12651%  | \$ 2,292.58   | \$ 16,243.24  | \$ 18,535.82                             | \$16,243.24                              | \$34,779.06                                   |
| 81    | Machinery Maintenance               | 1,093  | 0.12401%  | \$ 2,247.34   | \$ 15,922.75  | \$ 18,170.09                             | \$15,922.75                              | \$34,092.84                                   |
| 82    | Northwest Automotive                | 1,063  | 0.12061%  | \$ 2,185.66   | \$ 15,485.71  | \$ 17,671.37                             | \$15,485.71                              | \$33,157.08                                   |
| 83    | Bob Treece                          | 1,035  | 0.11743%  | \$ 2,128.09   | \$ 15,077.81  | \$ 17,205.89                             | \$15,077.81                              | \$32,283.70                                   |
| 84    | Bill's Auto Repairs                 | 1,025  | 0.11629%  | \$ 2,107.52   | \$ 14,932.13  | \$ 17,039.65                             | \$14,932.13                              | \$31,971.78                                   |
| 85    | Kuenstler Machinery                 | 1,019  | 0.11561%  | \$ 2,095.19   | \$ 14,844.72  | \$ 16,939.91                             | \$14,844.72                              | \$31,784.63                                   |
| 86    | Midas (Larry Goodman)               | 1,014  | 0.11505%  | \$ 2,084.91   | \$ 14,771.88  | \$ 16,856.79                             | \$14,771.88                              | \$31,628.67                                   |
| 87    | Conrad's Automotive Center          | 1,012  | 0.11482%  | \$ 2,080.79   | \$ 14,742.75  | \$ 16,823.54                             | \$14,742.75                              | \$31,566.29                                   |
| 88    | Pioneer Cement/Concrete             | 1,008  | 0.11437%  | \$ 2,072.57   | \$ 14,684.47  | \$ 16,757.05                             | \$14,684.47                              | \$31,441.52                                   |
| 89    | Ken's Automotive & Tire Center      | 1,005  | 0.11402%  | \$ 2,066.40   | \$ 14,640.77  | \$ 16,707.17                             | \$14,640.77                              | \$31,347.94                                   |
| 90    | Ray's Service Center Exxon          | 996  | 0.11300%  | \$ 2,047.90   | \$ 14,509.66  | \$ 16,557.56                             | \$14,509.66                              | \$31,067.22                                   |
| 91    | Gunn Buick                          | 991  | 0.11244%  | \$ 2,037.62   | \$ 14,436.82  | \$ 16,474.44                             | \$14,436.82                              | \$30,911.26                                   |
| 92    | Comet Service Station               | 988  | 0.11210%  | \$ 2,031.45   | \$ 14,393.12  | \$ 16,424.56                             | \$14,393.12                              | \$30,817.68                                   |
| 93    | Minute Lube                         | 981  | 0.11130%  | \$ 2,017.05   | \$ 14,291.14  | \$ 16,308.20                             | \$14,291.14                              | \$30,599.34                                   |
| 94    | Moore Industrial Disposal           | 981  | 0.11130%  | \$ 2,017.05   | \$ 14,291.14  | \$ 16,308.20                             | \$14,291.14                              | \$30,599.34                                   |
| 95    | Southside Truck Repair              | 979  | 0.11107%  | \$ 2,012.94   | \$ 14,262.00  | \$ 16,274.95                             | \$14,262.00                              | \$30,536.95                                   |
| 96    | Buck Moyers Tires                   | 978  | 0.11096%  | \$ 2,010.89   | \$ 14,247.44  | \$ 16,258.32                             | \$14,247.44                              | \$30,505.76                                   |
| 97    | Jimenez Phillips 66 Service Station | 976  | 0.11073%  | \$ 2,006.77   | \$ 14,218.30  | \$ 16,225.08                             | \$14,218.30                              | \$30,443.38                                   |
| 98    | Richard's Transmission              | 951  | 0.10790%  | \$ 1,955.37   | \$ 13,854.10  | \$ 15,809.47                             | \$13,854.10                              | \$29,663.58                                   |
| 99    | American Transmissions              | 935  | 0.10608%  | \$ 1,922.47   | \$ 13,621.02  | \$ 15,543.49                             | \$13,621.02                              | \$29,164.51                                   |
| 100   | Chevron-(4802 Walzem)               | 923  | 0.10472%  | \$ 1,897.80   | \$ 13,446.20  | \$ 15,344.00                             | \$13,446.20                              | \$28,790.20                                   |
| 101   | Juan Chapa Exxon (6002 PanAm)       | 916  | 0.10393%  | \$ 1,883.41   | \$ 13,344.23  | \$ 15,227.63                             | \$13,344.23                              | \$28,571.86                                   |
| 102   | Greyhound Bus Lines                 | 908  | 0.10302%  | \$ 1,866.96   | \$ 13,227.68  | \$ 15,094.64                             | \$13,227.68                              | \$28,322.32                                   |
| 103   | Windcrest Mobil (Jose L. Garza)     | 908  | 0.10302%  | \$ 1,866.96   | \$ 13,227.68  | \$ 15,094.64                             | \$13,227.68                              | \$28,322.32                                   |
| 104   | Starcrest Exxon                     | 900  | 0.10211%  | \$ 1,850.51   | \$ 13,111.14  | \$ 14,961.65                             | \$13,111.14                              | \$28,072.79                                   |
| 105   | Fast Change Oil & Lube              | 899  | 0.10200%  | \$ 1,848.45   | \$ 13,096.57  | \$ 14,945.02                             | \$13,096.57                              | \$28,041.59                                   |
| 106   | Banis Automotive Services           | 889  | 0.10086%  | \$ 1,827.89   | \$ 12,950.89  | \$ 14,778.78                             | \$12,950.89                              | \$27,729.67                                   |
| 107   | C & S Tire & Automotive             | 882  | 0.10007%  | \$ 1,813.50   | \$ 12,848.92  | \$ 14,662.41                             | \$12,848.92                              | \$27,511.33                                   |
| 108   | Rowland's Texaco                    | 882  | 0.10007%  | \$ 1,813.50   | \$ 12,848.92  | \$ 14,662.41                             | \$12,848.92                              | \$27,511.33                                   |
| 109   | Gunn Nissan                         | 858  | 0.09735%  | \$ 1,764.15   | \$ 12,499.29  | \$ 14,263.44                             | \$12,499.29                              | \$26,762.72                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 4 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                            | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|-------------------------------------|--|---|---|---|--|--|---|
| 110   | Charlie Moore Texaco                | 842  | 0.09553%  | \$ 1,731.25   | \$ 12,266.20  | \$ 13,997.45                             | \$12,266.20                              | \$26,263.65                                   |
| 111   | Atlas Transmission                  | 840  | 0.09530%  | \$ 1,727.14   | \$ 12,237.06  | \$ 13,964.20                             | \$12,237.06                              | \$26,201.27                                   |
| 112   | Hydraulic Specialists               | 839  | 0.09519%  | \$ 1,725.09   | \$ 12,222.49  | \$ 13,947.58                             | \$12,222.49                              | \$26,170.07                                   |
| 113   | Federal Express                     | 833  | 0.09451%  | \$ 1,712.75   | \$ 12,135.09  | \$ 13,847.84                             | \$12,135.09                              | \$25,982.92                                   |
| 114   | EDW Trucking/Zero Refrigeration     | 828  | 0.09394%  | \$ 1,702.47   | \$ 12,062.25  | \$ 13,764.72                             | \$12,062.25                              | \$25,826.96                                   |
| 115   | Halo Distributing Co.               | 825  | 0.09360%  | \$ 1,696.30   | \$ 12,018.54  | \$ 13,714.84                             | \$12,018.54                              | \$25,733.39                                   |
| 116   | Vernon's Truck Service              | 824  | 0.09349%  | \$ 1,694.24   | \$ 12,003.98  | \$ 13,698.22                             | \$12,003.98                              | \$25,702.20                                   |
| 117   | Industrial Disposal Supply Co.      | 818  | 0.09281%  | \$ 1,681.91   | \$ 11,916.57  | \$ 13,598.48                             | \$11,916.57                              | \$25,515.04                                   |
| 118   | S. H. Tolliver Company              | 800  | 0.09077%  | \$ 1,644.90   | \$ 11,654.35  | \$ 13,299.24                             | \$11,654.35                              | \$24,953.59                                   |
| 119   | Trans-Pro's                         | 790  | 0.08963%  | \$ 1,624.34   | \$ 11,508.67  | \$ 13,133.00                             | \$11,508.67                              | \$24,641.67                                   |
| 120   | Truck Repair & Maintenance          | 777  | 0.08816%  | \$ 1,597.61   | \$ 11,319.28  | \$ 12,916.89                             | \$11,319.28                              | \$24,236.17                                   |
| 121   | Oil-N-Lube                          | 774  | 0.08782%  | \$ 1,591.44   | \$ 11,275.58  | \$ 12,867.02                             | \$11,275.58                              | \$24,142.60                                   |
| 122   | Bagwell Conoco                      | 769  | 0.08725%  | \$ 1,581.16   | \$ 11,202.74  | \$ 12,783.90                             | \$11,202.74                              | \$23,986.64                                   |
| 123   | Louis Transmission                  | 765  | 0.08679%  | \$ 1,572.93   | \$ 11,144.47  | \$ 12,717.40                             | \$11,144.47                              | \$23,861.87                                   |
| 124   | Job Handler                         | 758  | 0.08600%  | \$ 1,558.54   | \$ 11,042.49  | \$ 12,601.03                             | \$11,042.49                              | \$23,643.52                                   |
| 125   | Mobil City Citgo                    | 750  | 0.08509%  | \$ 1,542.09   | \$ 10,925.95  | \$ 12,468.04                             | \$10,925.95                              | \$23,393.99                                   |
| 126   | Bob's Exxon                         | 739  | 0.08385%  | \$ 1,519.47   | \$ 10,765.70  | \$ 12,285.17                             | \$10,765.70                              | \$23,050.88                                   |
| 127   | APG Lime                            | 738  | 0.08373%  | \$ 1,517.42   | \$ 10,751.13  | \$ 12,268.55                             | \$10,751.13                              | \$23,019.68                                   |
| 128   | Dot Metal Inc/Dot Metal Products    | 720  | 0.08169%  | \$ 1,480.41   | \$ 10,488.91  | \$ 11,969.32                             | \$10,488.91                              | \$22,458.23                                   |
| 129   | Tri-County Oil Co.                  | 715  | 0.08112%  | \$ 1,470.13   | \$ 10,416.07  | \$ 11,886.20                             | \$10,416.07                              | \$22,302.27                                   |
| 130   | Leon Valley Automotive              | 706  | 0.08010%  | \$ 1,451.62   | \$ 10,284.96  | \$ 11,736.58                             | \$10,284.96                              | \$22,021.54                                   |
| 131   | Frontier Enterprises                | 690  | 0.07829%  | \$ 1,418.72   | \$ 10,051.87  | \$ 11,470.60                             | \$10,051.87                              | \$21,522.47                                   |
| 132   | Texas Disposal Systems              | 683  | 0.07749%  | \$ 1,404.33   | \$ 9,949.90   | \$ 11,354.23                             | \$9,949.90                               | \$21,304.13                                   |
| 133   | David Colbath Transmissions         | 680  | 0.07715%  | \$ 1,398.16   | \$ 9,906.19   | \$ 11,304.36                             | \$9,906.19                               | \$21,210.55                                   |
| 134   | McKenzie Equipment Co.              | 677  | 0.07681%  | \$ 1,391.99   | \$ 9,862.49   | \$ 11,254.48                             | \$9,862.49                               | \$21,116.97                                   |
| 135   | Delcrest Mobil/Raul Villarreal      | 665  | 0.07545%  | \$ 1,367.32   | \$ 9,687.67   | \$ 11,055.00                             | \$9,687.67                               | \$20,742.67                                   |
| 136   | Lakeway Service Center Exxon        | 663  | 0.07522%  | \$ 1,363.21   | \$ 9,658.54   | \$ 11,021.75                             | \$9,658.54                               | \$20,680.29                                   |
| 137   | Dean Coley Auto Service, Inc.       | 661  | 0.07500%  | \$ 1,359.10   | \$ 9,629.40   | \$ 10,988.50                             | \$9,629.40                               | \$20,617.90                                   |
| 138   | Sequin Diesel Truck & Service, Inc. | 661  | 0.07500%  | \$ 1,359.10   | \$ 9,629.40   | \$ 10,988.50                             | \$9,629.40                               | \$20,617.90                                   |
| 139   | Precision Tune                      | 645  | 0.07318%  | \$ 1,326.20   | \$ 9,396.32   | \$ 10,722.51                             | \$9,396.32                               | \$20,118.83                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00



**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name   | A<br>Number of Gallons<br>Attributed to PRP<br>(Waste-In Documents) | B<br>Gallons Attributed to PRP as %<br>(A / total site volume) | C<br>Allocated Past Costs =<br>\$1,812,240.62(1) x % of Total Allocation (B) | D<br>Allocated Future Costs =<br>\$9,630,000.00(2) x % of Total Allocation (B) | E<br>Total Allocated Costs<br>(C + D) | F<br>Allocated Premium<br>(100% of D) | G<br>Proposed Settlement Amount<br>(E + F) |
|-------|--|---|--|--|--|---------------------------------------|---------------------------------------|--|
| 140   | Flasher Equipment Co.  | 639   | 0.07250%   | \$ 1,313.86  | \$ 9,308.91  | \$ 10,622.77                          | \$9,308.91                            | \$19,931.68                                |
| 141   | Blanco Transmission Services   | 638   | 0.07239%   | \$ 1,311.81  | \$ 9,294.34  | \$ 10,606.15                          | \$9,294.34                            | \$19,900.49                                |
| 142   | National Car Rental/Jim Dunworth   | 634   | 0.07193%   | \$ 1,303.58  | \$ 9,236.07  | \$ 10,539.65                          | \$9,236.07                            | \$19,775.72                                |
| 143   | J & E Transmission   | 633   | 0.07182%   | \$ 1,301.52  | \$ 9,221.50  | \$ 10,523.03                          | \$9,221.50                            | \$19,744.53                                |
| 144   | NACO Auto Service  | 632   | 0.07171%   | \$ 1,299.47  | \$ 9,206.93  | \$ 10,506.40                          | \$9,206.93                            | \$19,713.33                                |
| 145   | Adan Bros Texaco   | 630   | 0.07148%   | \$ 1,295.36  | \$ 9,177.80  | \$ 10,473.15                          | \$9,177.80                            | \$19,650.95                                |
| 146   | Hamner, Inc./Hamner Trucking   | 630   | 0.07148%   | \$ 1,295.36  | \$ 9,177.80  | \$ 10,473.15                          | \$9,177.80                            | \$19,650.95                                |
| 147   | John's Texaco/John Brook's Texaco  | 625   | 0.07091%   | \$ 1,285.08  | \$ 9,104.96  | \$ 10,390.03                          | \$9,104.96                            | \$19,494.99                                |
| 148   | Holly Farms  | 623   | 0.07068%   | \$ 1,280.96  | \$ 9,075.82  | \$ 10,356.78                          | \$9,075.82                            | \$19,432.61                                |
| 149   | Crenwelge Motors/Crenwelge Buick   | 621   | 0.07046%   | \$ 1,276.85  | \$ 9,046.69  | \$ 10,323.54                          | \$9,046.69                            | \$19,370.22                                |
| 150   | Richardson Bros.   | 618   | 0.07012%   | \$ 1,270.68  | \$ 9,002.98  | \$ 10,273.66                          | \$9,002.98                            | \$19,276.65                                |
| 151   | Trans-Space Transmissions  | 615   | 0.06978%   | \$ 1,264.51  | \$ 8,959.28  | \$ 10,223.79                          | \$8,959.28                            | \$19,183.07                                |
| 152   | Hendrix GMC Trucks   | 610   | 0.06921%   | \$ 1,254.23  | \$ 8,886.44  | \$ 10,140.67                          | \$8,886.44                            | \$19,027.11                                |
| 153   | City of Kerrville  | 602   | 0.06830%   | \$ 1,237.79  | \$ 8,769.89  | \$ 10,007.68                          | \$8,769.89                            | \$18,777.57                                |
| 154   | S. X. Callahan Inc.  | 602   | 0.06830%   | \$ 1,237.79  | \$ 8,769.89  | \$ 10,007.68                          | \$8,769.89                            | \$18,777.57                                |
| 155   | Commercial Body Corp   | 600   | 0.06807%   | \$ 1,233.67  | \$ 8,740.76  | \$ 9,974.43                           | \$8,740.76                            | \$18,715.19                                |
| 156   | Metric Masters   | 596   | 0.06762%   | \$ 1,225.45  | \$ 8,682.49  | \$ 9,907.94                           | \$8,682.49                            | \$18,590.42                                |
| 157   | Transport Co. of Texas   | 586   | 0.06649%   | \$ 1,204.89  | \$ 8,536.81  | \$ 9,741.69                           | \$8,536.81                            | \$18,278.50                                |
| 158   | German Motor Imports   | 584   | 0.06626%   | \$ 1,200.77  | \$ 8,507.67  | \$ 9,708.45                           | \$8,507.67                            | \$18,216.12                                |
| 159   | Bexar County: Bexar County Maintenance,<br>Bexar County Court House, Bexar County<br>Prec. 3 | 578   | 0.06558%   | \$ 1,188.44  | \$ 8,420.26  | \$ 9,608.70                           | \$8,420.26                            | \$18,028.97                                |
| 160   | Ray's Automotive (Auto Parts)  | 566   | 0.06422%   | \$ 1,163.76  | \$ 8,245.45  | \$ 9,409.21                           | \$8,245.45                            | \$17,654.66                                |
| 161   | Du Mor Enterprises, Inc.   | 565   | 0.06410%   | \$ 1,161.71  | \$ 8,230.88  | \$ 9,392.59                           | \$8,230.88                            | \$17,623.47                                |
| 162   | Auto Haus  | 550   | 0.06240%   | \$ 1,130.87  | \$ 8,012.36  | \$ 9,143.23                           | \$8,012.36                            | \$17,155.59                                |
| 163   | Bert's Motor Works   | 549   | 0.06229%   | \$ 1,128.81  | \$ 7,997.79  | \$ 9,126.60                           | \$7,997.79                            | \$17,124.40                                |
| 164   | Douglas, A D   | 548   | 0.06217%   | \$ 1,126.75  | \$ 7,983.23  | \$ 9,109.98                           | \$7,983.23                            | \$17,093.21                                |
| 165   | San Marcos Nissan  | 546   | 0.06195%   | \$ 1,122.64  | \$ 7,954.09  | \$ 9,076.73                           | \$7,954.09                            | \$17,030.82                                |
| 166   | Bob's Auto Service   | 541   | 0.06138%   | \$ 1,112.36  | \$ 7,881.25  | \$ 8,993.61                           | \$7,881.25                            | \$16,874.86                                |
| 167   | Davis Truck & Equipment  | 539   | 0.06115%   | \$ 1,108.25  | \$ 7,852.12  | \$ 8,960.36                           | \$7,852.12                            | \$16,812.48                                |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 6 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                                   | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 168   | Benson Chevrolet                           | 538  | 0.06104%  | \$ 1,106.19   | \$ 7,837.55   | \$ 8,943.74                              | \$7,837.55                               | \$16,781.29                                   |
| 169   | Colony Exxon/Exxon Colony/Faulk's Exxon    | 536  | 0.06081%  | \$ 1,102.08   | \$ 7,808.41   | \$ 8,910.49                              | \$7,808.41                               | \$16,718.90                                   |
| 170   | Stockyard Service Center                   | 536  | 0.06081%  | \$ 1,102.08   | \$ 7,808.41   | \$ 8,910.49                              | \$7,808.41                               | \$16,718.90                                   |
| 171   | Waukesha-Pearce Industries, Inc.           | 536  | 0.06081%  | \$ 1,102.08   | \$ 7,808.41   | \$ 8,910.49                              | \$7,808.41                               | \$16,718.90                                   |
| 172   | Lamar Automotive/Stuart's North Lamar Auto | 535  | 0.06070%  | \$ 1,100.02   | \$ 7,793.84   | \$ 8,893.87                              | \$7,793.84                               | \$16,687.71                                   |
| 173   | McDougal's Diesel                          | 535  | 0.06070%  | \$ 1,100.02   | \$ 7,793.84   | \$ 8,893.87                              | \$7,793.84                               | \$16,687.71                                   |
| 174   | Sherwood Van Lines                         | 534  | 0.06059%  | \$ 1,097.97   | \$ 7,779.28   | \$ 8,877.24                              | \$7,779.28                               | \$16,656.52                                   |
| 175   | FESCO Inc.                                 | 532  | 0.06036%  | \$ 1,093.86   | \$ 7,750.14   | \$ 8,844.00                              | \$7,750.14                               | \$16,594.14                                   |
| 176   | Starling, James                            | 525  | 0.05957%  | \$ 1,079.46   | \$ 7,648.16   | \$ 8,727.63                              | \$7,648.16                               | \$16,375.79                                   |
| 177   | Howell                                     | 523  | 0.05934%  | \$ 1,075.35   | \$ 7,619.03   | \$ 8,694.38                              | \$7,619.03                               | \$16,313.41                                   |
| 178   | Walzem Exxon                               | 519  | 0.05888%  | \$ 1,067.13   | \$ 7,560.76   | \$ 8,627.88                              | \$7,560.76                               | \$16,188.64                                   |
| 179   | Schlumberger                               | 518  | 0.05877%  | \$ 1,065.07   | \$ 7,546.19   | \$ 8,611.26                              | \$7,546.19                               | \$16,157.45                                   |
| 180   | Goodyear 13850 O' Conner Rd.               | 513  | 0.05820%  | \$ 1,054.79   | \$ 7,473.35   | \$ 8,528.14                              | \$7,473.35                               | \$16,001.49                                   |
| 181   | Goodyear West Ave.                         | 505  | 0.05730%  | \$ 1,038.34   | \$ 7,356.81   | \$ 8,395.15                              | \$7,356.81                               | \$15,751.95                                   |
| 182   | Ken Browns Tire & Service                  | 500  | 0.05673%  | \$ 1,028.06   | \$ 7,283.97   | \$ 8,312.03                              | \$7,283.97                               | \$15,595.99                                   |
| 183   | Arnald                                     | 499  | 0.05662%  | \$ 1,026.00   | \$ 7,269.40   | \$ 8,295.40                              | \$7,269.40                               | \$15,564.80                                   |
| 184   | M & G Building Materials                   | 496  | 0.05627%  | \$ 1,019.84   | \$ 7,225.69   | \$ 8,245.53                              | \$7,225.69                               | \$15,471.22                                   |
| 185   | McKenzie Air Industries                    | 495  | 0.05616%  | \$ 1,017.78   | \$ 7,211.13   | \$ 8,228.91                              | \$7,211.13                               | \$15,440.03                                   |
| 186   | Texas Classic Cars                         | 495  | 0.05616%  | \$ 1,017.78   | \$ 7,211.13   | \$ 8,228.91                              | \$7,211.13                               | \$15,440.03                                   |
| 187   | M.I.C.A. Corporation                       | 488  | 0.05537%  | \$ 1,003.39   | \$ 7,109.15   | \$ 8,112.54                              | \$7,109.15                               | \$15,221.69                                   |
| 188   | Bill's Chevron (Fair Ave.)                 | 479  | 0.05435%  | \$ 984.88   | \$ 6,978.04   | \$ 7,962.92                              | \$6,978.04                               | \$14,940.96                                   |
| 189   | Midway Automotive                          | 478  | 0.05423%  | \$ 982.83   | \$ 6,963.47   | \$ 7,946.30                              | \$6,963.47                               | \$14,909.77                                   |
| 190   | A. J. Ploch Oil Co., Inc.                  | 475  | 0.05389%  | \$ 976.66   | \$ 6,919.77   | \$ 7,896.43                              | \$6,919.77                               | \$14,816.19                                   |
| 191   | Abbott Chrysler Dodge                      | 475  | 0.05389%  | \$ 976.66   | \$ 6,919.77   | \$ 7,896.43                              | \$6,919.77                               | \$14,816.19                                   |
| 192   | C & C Auto and Tire                        | 470  | 0.05332%  | \$ 966.38   | \$ 6,846.93   | \$ 7,813.30                              | \$6,846.93                               | \$14,660.23                                   |
| 193   | City Towing                                | 468  | 0.05310%  | \$ 962.26   | \$ 6,817.79   | \$ 7,780.06                              | \$6,817.79                               | \$14,597.85                                   |
| 194   | Charlie Powell                             | 467  | 0.05298%  | \$ 960.21   | \$ 6,803.22   | \$ 7,763.43                              | \$6,803.22                               | \$14,566.66                                   |
| 195   | Tide Port Hamner                           | 464  | 0.05264%  | \$ 954.04   | \$ 6,759.52   | \$ 7,713.56                              | \$6,759.52                               | \$14,473.08                                   |
| 196   | Astolfo's 123 Chevron                      | 463  | 0.05253%  | \$ 951.98   | \$ 6,744.95   | \$ 7,696.94                              | \$6,744.95                               | \$14,441.89                                   |
| 197   | Manuel's Tire Service                      | 461  | 0.05230%  | \$ 947.87   | \$ 6,715.82   | \$ 7,663.69                              | \$6,715.82                               | \$14,379.50                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                               | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 198   | Alamo Hydraulics                       | 460  | 0.05219%  | \$ 945.82   | \$ 6,701.25   | \$ 7,647.06                              | \$6,701.25                               | \$14,348.31                                   |
| 199   | Cecil Tindall Chevrolet & Oldsmobile   | 460  | 0.05219%  | \$ 945.82   | \$ 6,701.25   | \$ 7,647.06                              | \$6,701.25                               | \$14,348.31                                   |
| 200   | Vance Jackson Exxon                    | 460  | 0.05219%  | \$ 945.82   | \$ 6,701.25   | \$ 7,647.06                              | \$6,701.25                               | \$14,348.31                                   |
| 201   | Kent's Automotive                      | 458  | 0.05196%  | \$ 941.70   | \$ 6,672.11   | \$ 7,613.82                              | \$6,672.11                               | \$14,285.93                                   |
| 202   | Tetra Services Inc.                    | 455  | 0.05162%  | \$ 935.54   | \$ 6,628.41   | \$ 7,563.94                              | \$6,628.41                               | \$14,192.35                                   |
| 203   | A-1 Transmission                       | 450  | 0.05106%  | \$ 925.25   | \$ 6,555.57   | \$ 7,480.82                              | \$6,555.57                               | \$14,036.39                                   |
| 204   | Hernandez Exxon                        | 450  | 0.05106%  | \$ 925.25   | \$ 6,555.57   | \$ 7,480.82                              | \$6,555.57                               | \$14,036.39                                   |
| 205   | Ike Jones Exxon                        | 450  | 0.05106%  | \$ 925.25   | \$ 6,555.57   | \$ 7,480.82                              | \$6,555.57                               | \$14,036.39                                   |
| 206   | Slim's Automotive                      | 443  | 0.05026%  | \$ 910.86   | \$ 6,453.59   | \$ 7,364.46                              | \$6,453.59                               | \$13,818.05                                   |
| 207   | Alamo Aircraft                         | 440  | 0.04992%  | \$ 904.69   | \$ 6,409.89   | \$ 7,314.58                              | \$6,409.89                               | \$13,724.47                                   |
| 208   | Cambridge Garage/Cambridge Auto Center | 440  | 0.04992%  | \$ 904.69   | \$ 6,409.89   | \$ 7,314.58                              | \$6,409.89                               | \$13,724.47                                   |
| 209   | B C Garage                             | 437  | 0.04958%  | \$ 898.52   | \$ 6,366.19   | \$ 7,264.71                              | \$6,366.19                               | \$13,630.90                                   |
| 210   | Vern's Auto Repair                     | 435  | 0.04935%  | \$ 894.41   | \$ 6,337.05   | \$ 7,231.46                              | \$6,337.05                               | \$13,568.51                                   |
| 211   | Shorts Garage                          | 434  | 0.04924%  | \$ 892.36   | \$ 6,322.48   | \$ 7,214.84                              | \$6,322.48                               | \$13,537.32                                   |
| 212   | S.V.M.S. Comal ISD                     | 430  | 0.04879%  | \$ 884.13   | \$ 6,264.21   | \$ 7,148.34                              | \$6,264.21                               | \$13,412.55                                   |
| 213   | City of Alice                          | 425  | 0.04822%  | \$ 873.85   | \$ 6,191.37   | \$ 7,065.22                              | \$6,191.37                               | \$13,256.59                                   |
| 214   | Churchill Mobil                        | 421  | 0.04777%  | \$ 865.63   | \$ 6,133.10   | \$ 6,998.73                              | \$6,133.10                               | \$13,131.83                                   |
| 215   | Womack Diesel                          | 417  | 0.04731%  | \$ 857.40   | \$ 6,074.83   | \$ 6,932.23                              | \$6,074.83                               | \$13,007.06                                   |
| 216   | Joe De La Rosa Exxon                   | 415  | 0.04708%  | \$ 853.29   | \$ 6,045.69   | \$ 6,898.98                              | \$6,045.69                               | \$12,944.67                                   |
| 217   | Seguin Motor Co. Ford                  | 415  | 0.04708%  | \$ 853.29   | \$ 6,045.69   | \$ 6,898.98                              | \$6,045.69                               | \$12,944.67                                   |
| 218   | Grissom Rd. Automotive                 | 412  | 0.04674%  | \$ 847.12   | \$ 6,001.99   | \$ 6,849.11                              | \$6,001.99                               | \$12,851.10                                   |
| 219   | Southwest Lift Inc.                    | 412  | 0.04674%  | \$ 847.12   | \$ 6,001.99   | \$ 6,849.11                              | \$6,001.99                               | \$12,851.10                                   |
| 220   | Wallace Lundgren Chevrolet             | 412  | 0.04674%  | \$ 847.12   | \$ 6,001.99   | \$ 6,849.11                              | \$6,001.99                               | \$12,851.10                                   |
| 221   | Tesoro Petroleum                       | 410  | 0.04652%  | \$ 843.01   | \$ 5,972.85   | \$ 6,815.86                              | \$5,972.85                               | \$12,788.71                                   |
| 222   | Brown Express                          | 409  | 0.04640%  | \$ 840.95   | \$ 5,958.28   | \$ 6,799.24                              | \$5,958.28                               | \$12,757.52                                   |
| 223   | Lauren Concrete Co.                    | 407  | 0.04618%  | \$ 836.84   | \$ 5,929.15   | \$ 6,765.99                              | \$5,929.15                               | \$12,695.14                                   |
| 224   | Pro-Formance Automotive                | 406  | 0.04606%  | \$ 834.79   | \$ 5,914.58   | \$ 6,749.37                              | \$5,914.58                               | \$12,663.95                                   |
| 225   | Dornak Automotive                      | 404  | 0.04584%  | \$ 830.67   | \$ 5,885.44   | \$ 6,716.12                              | \$5,885.44                               | \$12,601.56                                   |
| 226   | Fritz's Gulf                           | 404  | 0.04584%  | \$ 830.67   | \$ 5,885.44   | \$ 6,716.12                              | \$5,885.44                               | \$12,601.56                                   |
| 227   | 221 Fleet Services                     | 401  | 0.04550%  | \$ 824.50   | \$ 5,841.74   | \$ 6,666.25                              | \$5,841.74                               | \$12,507.99                                   |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 8 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                                  | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---|--|---|---|---|--|--|---|
| 228   | San Antonio Equipment                     | 400  | 0.04538%  | \$ 822.45   | \$ 5,827.17   | \$ 6,649.62                              | \$5,827.17                               | \$12,476.79                                   |
| 229   | Roger's Import Service                    | 397  | 0.04504%  | \$ 816.28   | \$ 5,783.47   | \$ 6,599.75                              | \$5,783.47                               | \$12,383.22                                   |
| 230   | Fairchild                                 | 396  | 0.04493%  | \$ 814.22   | \$ 5,768.90   | \$ 6,583.12                              | \$5,768.90                               | \$12,352.03                                   |
| 231   | Five Points Exxon                         | 395  | 0.04482%  | \$ 812.17   | \$ 5,754.33   | \$ 6,566.50                              | \$5,754.33                               | \$12,320.83                                   |
| 232   | Quest Utilities Corp.                     | 394  | 0.04470%  | \$ 810.11   | \$ 5,739.77   | \$ 6,549.88                              | \$5,739.77                               | \$12,289.64                                   |
| 233   | United Transmission                       | 393  | 0.04459%  | \$ 808.06   | \$ 5,725.20   | \$ 6,533.25                              | \$5,725.20                               | \$12,258.45                                   |
| 234   | Seven-Up Bottling Co.                     | 387  | 0.04391%  | \$ 795.72   | \$ 5,637.79   | \$ 6,433.51                              | \$5,637.79                               | \$12,071.30                                   |
| 235   | B & M Automotive                          | 385  | 0.04368%  | \$ 791.61   | \$ 5,608.65   | \$ 6,400.26                              | \$5,608.65                               | \$12,008.91                                   |
| 236   | Columbia Transmissions                    | 385  | 0.04368%  | \$ 791.61   | \$ 5,608.65   | \$ 6,400.26                              | \$5,608.65                               | \$12,008.91                                   |
| 237   | Mission Transmission                      | 385  | 0.04368%  | \$ 791.61   | \$ 5,608.65   | \$ 6,400.26                              | \$5,608.65                               | \$12,008.91                                   |
| 238   | Anderson Garage                           | 382  | 0.04334%  | \$ 785.44   | \$ 5,564.95   | \$ 6,350.39                              | \$5,564.95                               | \$11,915.34                                   |
| 239   | Kerrville Bus                             | 380  | 0.04311%  | \$ 781.33   | \$ 5,535.81   | \$ 6,317.14                              | \$5,535.81                               | \$11,852.95                                   |
| 240   | Martin Garage                             | 378  | 0.04289%  | \$ 777.21   | \$ 5,506.68   | \$ 6,283.89                              | \$5,506.68                               | \$11,790.57                                   |
| 241   | DEW Inc.                                  | 377  | 0.04277%  | \$ 775.16   | \$ 5,492.11   | \$ 6,267.27                              | \$5,492.11                               | \$11,759.38                                   |
| 242   | Halliburton Services                      | 375  | 0.04255%  | \$ 771.05   | \$ 5,462.97   | \$ 6,234.02                              | \$5,462.97                               | \$11,696.99                                   |
| 243   | Hydraulic Supply & Service                | 373  | 0.04232%  | \$ 766.93   | \$ 5,433.84   | \$ 6,200.77                              | \$5,433.84                               | \$11,634.61                                   |
| 244   | Lange Truck Lines                         | 370  | 0.04198%  | \$ 760.76   | \$ 5,390.13   | \$ 6,150.90                              | \$5,390.13                               | \$11,541.03                                   |
| 245   | Mobil Village North Service Center        | 369  | 0.04187%  | \$ 758.71   | \$ 5,375.57   | \$ 6,134.28                              | \$5,375.57                               | \$11,509.84                                   |
| 246   | Bob's Performance Transmission            | 368  | 0.04175%  | \$ 756.65   | \$ 5,361.00   | \$ 6,117.65                              | \$5,361.00                               | \$11,478.65                                   |
| 247   | Curtis Hastings                           | 360  | 0.04084%  | \$ 740.20   | \$ 5,244.46   | \$ 5,984.66                              | \$5,244.46                               | \$11,229.11                                   |
| 248   | Nielsen's Garage                          | 360  | 0.04084%  | \$ 740.20   | \$ 5,244.46   | \$ 5,984.66                              | \$5,244.46                               | \$11,229.11                                   |
| 249   | Cooper Equipment Company                  | 359  | 0.04073%  | \$ 738.15   | \$ 5,229.89   | \$ 5,968.03                              | \$5,229.89                               | \$11,197.92                                   |
| 250   | Lee's Gulf Service                        | 359  | 0.04073%  | \$ 738.15   | \$ 5,229.89   | \$ 5,968.03                              | \$5,229.89                               | \$11,197.92                                   |
| 251   | Rittiman Mobil Station AKA Mac's Mobil    | 358  | 0.04062%  | \$ 736.09   | \$ 5,215.32   | \$ 5,951.41                              | \$5,215.32                               | \$11,166.73                                   |
| 252   | Goodyear: 8011 Bandera Rd.+1346 Fair Ave. | 351  | 0.03982%  | \$ 721.70   | \$ 5,113.34   | \$ 5,835.04                              | \$5,113.34                               | \$10,948.39                                   |
| 253   | Town North Nissan                         | 350  | 0.03971%  | \$ 719.64   | \$ 5,098.78   | \$ 5,818.42                              | \$5,098.78                               | \$10,917.19                                   |
| 254   | Southwest Texaco                          | 349  | 0.03960%  | \$ 717.59   | \$ 5,084.21   | \$ 5,801.79                              | \$5,084.21                               | \$10,886.00                                   |

<sup>(1)</sup> Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

<sup>(2)</sup> Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name  | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---|--|---|---|---|--|--|---|
| 255   | Alamo Community College Dist: San Antonio College, ACCD Motor Pool, St. Phillips S W Center, SW Campus St. Phillips College | 345  | 0.03914%  | \$ 709.36   | \$ 5,025.94   | \$ 5,735.30                              | \$5,025.94                               | \$10,761.23                                   |
| 256   | T & H Wrecker   | 344  | 0.03903%  | \$ 707.31   | \$ 5,011.37   | \$ 5,718.67                              | \$5,011.37                               | \$10,730.04                                   |
| 257   | Central Tire  | 340  | 0.03858%  | \$ 699.08   | \$ 4,953.10   | \$ 5,652.18                              | \$4,953.10                               | \$10,605.27                                   |
| 258   | Kayser's Automotive   | 340  | 0.03858%  | \$ 699.08   | \$ 4,953.10   | \$ 5,652.18                              | \$4,953.10                               | \$10,605.27                                   |
| 259   | Kelly's Automotive/Texaco   | 340  | 0.03858%  | \$ 699.08   | \$ 4,953.10   | \$ 5,652.18                              | \$4,953.10                               | \$10,605.27                                   |
| 260   | Tieken Auto Service   | 340  | 0.03858%  | \$ 699.08   | \$ 4,953.10   | \$ 5,652.18                              | \$4,953.10                               | \$10,605.27                                   |
| 261   | Medellin, Manuel  | 338  | 0.03835%  | \$ 694.97   | \$ 4,923.96   | \$ 5,618.93                              | \$4,923.96                               | \$10,542.89                                   |
| 262   | Mott's Automotive   | 335  | 0.03801%  | \$ 688.80   | \$ 4,880.26   | \$ 5,569.06                              | \$4,880.26                               | \$10,449.31                                   |
| 263   | Texaco Service Station  | 335  | 0.03801%  | \$ 688.80   | \$ 4,880.26   | \$ 5,569.06                              | \$4,880.26                               | \$10,449.31                                   |
| 264   | HLM Diesel Service  | 333  | 0.03778%  | \$ 684.69   | \$ 4,851.12   | \$ 5,535.81                              | \$4,851.12                               | \$10,386.93                                   |
| 265   | Exxon (4302 Callaghan)  | 332  | 0.03767%  | \$ 682.63   | \$ 4,836.55   | \$ 5,519.19                              | \$4,836.55                               | \$10,355.74                                   |
| 266   | Roger's Mobil Service   | 332  | 0.03767%  | \$ 682.63   | \$ 4,836.55   | \$ 5,519.19                              | \$4,836.55                               | \$10,355.74                                   |
| 267   | Texaco (Jesse & Henry)  | 330  | 0.03744%  | \$ 678.52   | \$ 4,807.42   | \$ 5,485.94                              | \$4,807.42                               | \$10,293.35                                   |
| 268   | Ruben's Transmission  | 329  | 0.03733%  | \$ 676.46   | \$ 4,792.85   | \$ 5,469.31                              | \$4,792.85                               | \$10,262.16                                   |
| 269   | Red Simon Ford  | 328  | 0.03721%  | \$ 674.41   | \$ 4,778.28   | \$ 5,452.69                              | \$4,778.28                               | \$10,230.97                                   |
| 270   | Bill Bickman Gulf   | 323  | 0.03665%  | \$ 664.13   | \$ 4,705.44   | \$ 5,369.57                              | \$4,705.44                               | \$10,075.01                                   |
| 271   | Escarzaga Enterprises   | 323  | 0.03665%  | \$ 664.13   | \$ 4,705.44   | \$ 5,369.57                              | \$4,705.44                               | \$10,075.01                                   |
| 272   | Krueger Mazda   | 323  | 0.03665%  | \$ 664.13   | \$ 4,705.44   | \$ 5,369.57                              | \$4,705.44                               | \$10,075.01                                   |
| 273   | Chuck Nash Rentals Inc. / Chevrolet   | 321  | 0.03642%  | \$ 660.01   | \$ 4,676.31   | \$ 5,336.32                              | \$4,676.31                               | \$10,012.63                                   |
| 274   | D & D Transmission Service  | 320  | 0.03631%  | \$ 657.96   | \$ 4,661.74   | \$ 5,319.70                              | \$4,661.74                               | \$9,981.43                                    |
| 275   | Alamo Car Rental/Alamo Rent-A-Car   | 318  | 0.03608%  | \$ 653.85   | \$ 4,632.60   | \$ 5,286.45                              | \$4,632.60                               | \$9,919.05                                    |
| 276   | Case Power & Equipment  | 315  | 0.03574%  | \$ 647.68   | \$ 4,588.90   | \$ 5,236.58                              | \$4,588.90                               | \$9,825.48                                    |
| 277   | Slater Automotive   | 315  | 0.03574%  | \$ 647.68   | \$ 4,588.90   | \$ 5,236.58                              | \$4,588.90                               | \$9,825.48                                    |
| 278   | Old 81 Exxon  | 310  | 0.03517%  | \$ 637.40   | \$ 4,516.06   | \$ 5,153.46                              | \$4,516.06                               | \$9,669.52                                    |
| 279   | Tex Mart No. 1  | 306  | 0.03472%  | \$ 629.17   | \$ 4,457.79   | \$ 5,086.96                              | \$4,457.79                               | \$9,544.75                                    |
| 280   | David Lane Automotive   | 305  | 0.03460%  | \$ 627.12   | \$ 4,443.22   | \$ 5,070.34                              | \$4,443.22                               | \$9,513.56                                    |
| 281   | Woody, Clyde  | 305  | 0.03460%  | \$ 627.12   | \$ 4,443.22   | \$ 5,070.34                              | \$4,443.22                               | \$9,513.56                                    |
| 282   | Roosevelt-Ron Jones Texaco  | 304  | 0.03449%  | \$ 625.06   | \$ 4,428.65   | \$ 5,053.71                              | \$4,428.65                               | \$9,482.36                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                             | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--------------------------------------|--|---|---|---|--|--|---|
| 283   | Reliable Battery                     | 300  | 0.03404%  | \$ 616.84   | \$ 4,370.38   | \$ 4,987.22                              | \$4,370.38                               | \$9,357.60                                    |
| 284   | Western Co.                          | 300  | 0.03404%  | \$ 616.84   | \$ 4,370.38   | \$ 4,987.22                              | \$4,370.38                               | \$9,357.60                                    |
| 285   | B & C Service Center                 | 299  | 0.03392%  | \$ 614.78   | \$ 4,355.81   | \$ 4,970.59                              | \$4,355.81                               | \$9,326.40                                    |
| 286   | Terry Greiner Exxon (Terry's Towing) | 299  | 0.03392%  | \$ 614.78   | \$ 4,355.81   | \$ 4,970.59                              | \$4,355.81                               | \$9,326.40                                    |
| 287   | Servtex Materials Co.                | 298  | 0.03381%  | \$ 612.72   | \$ 4,341.24   | \$ 4,953.97                              | \$4,341.24                               | \$9,295.21                                    |
| 288   | Exxon (1554 Bandera)                 | 297  | 0.03370%  | \$ 610.67   | \$ 4,326.68   | \$ 4,937.34                              | \$4,326.68                               | \$9,264.02                                    |
| 289   | Jack's Automotive                    | 293  | 0.03324%  | \$ 602.44   | \$ 4,268.40   | \$ 4,870.85                              | \$4,268.40                               | \$9,139.25                                    |
| 290   | Paiz, David                          | 293  | 0.03324%  | \$ 602.44   | \$ 4,268.40   | \$ 4,870.85                              | \$4,268.40                               | \$9,139.25                                    |
| 291   | Cycle World                          | 292  | 0.03313%  | \$ 600.39   | \$ 4,253.84   | \$ 4,854.22                              | \$4,253.84                               | \$9,108.06                                    |
| 292   | Travis Boats and Motor               | 290  | 0.03290%  | \$ 596.28   | \$ 4,224.70   | \$ 4,820.98                              | \$4,224.70                               | \$9,045.68                                    |
| 293   | Full Service Auto Inc.               | 289  | 0.03279%  | \$ 594.22   | \$ 4,210.13   | \$ 4,804.35                              | \$4,210.13                               | \$9,014.48                                    |
| 294   | Go-Mack Sales & Service              | 289  | 0.03279%  | \$ 594.22   | \$ 4,210.13   | \$ 4,804.35                              | \$4,210.13                               | \$9,014.48                                    |
| 295   | Baumann Auto Repair                  | 287  | 0.03256%  | \$ 590.11   | \$ 4,181.00   | \$ 4,771.10                              | \$4,181.00                               | \$8,952.10                                    |
| 296   | Texas Ready Mix                      | 287  | 0.03256%  | \$ 590.11   | \$ 4,181.00   | \$ 4,771.10                              | \$4,181.00                               | \$8,952.10                                    |
| 297   | Dykman Texaco                        | 285  | 0.03234%  | \$ 585.99   | \$ 4,151.86   | \$ 4,737.86                              | \$4,151.86                               | \$8,889.72                                    |
| 298   | Pat Matyear Exxon                    | 285  | 0.03234%  | \$ 585.99   | \$ 4,151.86   | \$ 4,737.86                              | \$4,151.86                               | \$8,889.72                                    |
| 299   | Longhorn Transport                   | 283  | 0.03211%  | \$ 581.88   | \$ 4,122.72   | \$ 4,704.61                              | \$4,122.72                               | \$8,827.33                                    |
| 300   | McClelland, Jim                      | 283  | 0.03211%  | \$ 581.88   | \$ 4,122.72   | \$ 4,704.61                              | \$4,122.72                               | \$8,827.33                                    |
| 301   | Olmos Park Gulf                      | 282  | 0.03199%  | \$ 579.83   | \$ 4,108.16   | \$ 4,687.98                              | \$4,108.16                               | \$8,796.14                                    |
| 302   | DSM Drilling                         | 280  | 0.03177%  | \$ 575.71   | \$ 4,079.02   | \$ 4,654.73                              | \$4,079.02                               | \$8,733.76                                    |
| 303   | Easter's Gulf Service Center         | 280  | 0.03177%  | \$ 575.71   | \$ 4,079.02   | \$ 4,654.73                              | \$4,079.02                               | \$8,733.76                                    |
| 304   | Ingram Mfg                           | 280  | 0.03177%  | \$ 575.71   | \$ 4,079.02   | \$ 4,654.73                              | \$4,079.02                               | \$8,733.76                                    |
| 305   | City Transmission                    | 279  | 0.03165%  | \$ 573.66   | \$ 4,064.45   | \$ 4,638.11                              | \$4,064.45                               | \$8,702.56                                    |
| 306   | Walker (Texaco)                      | 279  | 0.03165%  | \$ 573.66   | \$ 4,064.45   | \$ 4,638.11                              | \$4,064.45                               | \$8,702.56                                    |
| 307   | City Cab Conoco                      | 277  | 0.03143%  | \$ 569.55   | \$ 4,035.32   | \$ 4,604.86                              | \$4,035.32                               | \$8,640.18                                    |
| 308   | Nader's Exxon                        | 276  | 0.03131%  | \$ 567.49   | \$ 4,020.75   | \$ 4,588.24                              | \$4,020.75                               | \$8,608.99                                    |
| 309   | Ewald Ford Tractors, Inc.            | 275  | 0.03120%  | \$ 565.43   | \$ 4,006.18   | \$ 4,571.61                              | \$4,006.18                               | \$8,577.80                                    |
| 310   | Bednarz Service Center               | 273  | 0.03097%  | \$ 561.32   | \$ 3,977.05   | \$ 4,538.37                              | \$3,977.05                               | \$8,515.41                                    |
| 311   | Dover Elevator                       | 270  | 0.03063%  | \$ 555.15   | \$ 3,933.34   | \$ 4,488.49                              | \$3,933.34                               | \$8,421.84                                    |
| 312   | Westwood Village Serv. Cntr.         | 270  | 0.03063%  | \$ 555.15   | \$ 3,933.34   | \$ 4,488.49                              | \$3,933.34                               | \$8,421.84                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 11 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                                 | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 313   | Sirianni Automotive Service/Trans.       | 268  | 0.03041%  | \$ 551.04   | \$ 3,904.21   | \$ 4,455.25                              | \$3,904.21                               | \$8,359.45                                    |
| 314   | AAA International (Tire Wheel & Muffler) | 264  | 0.02995%  | \$ 542.82   | \$ 3,845.93   | \$ 4,388.75                              | \$3,845.93                               | \$8,234.68                                    |
| 315   | Chevron- 3619 Zarzamora                  | 262  | 0.02973%  | \$ 538.70   | \$ 3,816.80   | \$ 4,355.50                              | \$3,816.80                               | \$8,172.30                                    |
| 316   | Porter, Tom                              | 262  | 0.02973%  | \$ 538.70   | \$ 3,816.80   | \$ 4,355.50                              | \$3,816.80                               | \$8,172.30                                    |
| 317   | Guido                                    | 260  | 0.02950%  | \$ 534.59   | \$ 3,787.66   | \$ 4,322.25                              | \$3,787.66                               | \$8,109.92                                    |
| 318   | L. H. McCoy Enterprises                  | 260  | 0.02950%  | \$ 534.59   | \$ 3,787.66   | \$ 4,322.25                              | \$3,787.66                               | \$8,109.92                                    |
| 319   | North Central Ford                       | 260  | 0.02950%  | \$ 534.59   | \$ 3,787.66   | \$ 4,322.25                              | \$3,787.66                               | \$8,109.92                                    |
| 320   | Performance Auto & Trans.                | 260  | 0.02950%  | \$ 534.59   | \$ 3,787.66   | \$ 4,322.25                              | \$3,787.66                               | \$8,109.92                                    |
| 321   | Caldwell Motors (Automotive)             | 258  | 0.02927%  | \$ 530.48   | \$ 3,758.53   | \$ 4,289.01                              | \$3,758.53                               | \$8,047.53                                    |
| 322   | Goodyear-1498 Hillcrest                  | 258  | 0.02927%  | \$ 530.48   | \$ 3,758.53   | \$ 4,289.01                              | \$3,758.53                               | \$8,047.53                                    |
| 323   | Harlandale Independent School Dist.      | 257  | 0.02916%  | \$ 528.42   | \$ 3,743.96   | \$ 4,272.38                              | \$3,743.96                               | \$8,016.34                                    |
| 324   | Grande Ford                              | 256  | 0.02905%  | \$ 526.37   | \$ 3,729.39   | \$ 4,255.76                              | \$3,729.39                               | \$7,985.15                                    |
| 325   | Lift Masters                             | 255  | 0.02893%  | \$ 524.31   | \$ 3,714.82   | \$ 4,239.13                              | \$3,714.82                               | \$7,953.96                                    |
| 326   | Schneider's Tire & Automotive            | 255  | 0.02893%  | \$ 524.31   | \$ 3,714.82   | \$ 4,239.13                              | \$3,714.82                               | \$7,953.96                                    |
| 327   | Wagner Machinery                         | 255  | 0.02893%  | \$ 524.31   | \$ 3,714.82   | \$ 4,239.13                              | \$3,714.82                               | \$7,953.96                                    |
| 328   | Torgeson Equipment Co.                   | 254  | 0.02882%  | \$ 522.25   | \$ 3,700.25   | \$ 4,222.51                              | \$3,700.25                               | \$7,922.76                                    |
| 329   | Boening Agriculture                      | 253  | 0.02870%  | \$ 520.20   | \$ 3,685.69   | \$ 4,205.89                              | \$3,685.69                               | \$7,891.57                                    |
| 330   | Cavender Toyota                          | 253  | 0.02870%  | \$ 520.20   | \$ 3,685.69   | \$ 4,205.89                              | \$3,685.69                               | \$7,891.57                                    |
| 331   | Greg's Automotive & Truck Center         | 253  | 0.02870%  | \$ 520.20   | \$ 3,685.69   | \$ 4,205.89                              | \$3,685.69                               | \$7,891.57                                    |
| 332   | Budget Transmission Repairs              | 250  | 0.02836%  | \$ 514.03   | \$ 3,641.98   | \$ 4,156.01                              | \$3,641.98                               | \$7,798.00                                    |
| 333   | S & S Construction                       | 250  | 0.02836%  | \$ 514.03   | \$ 3,641.98   | \$ 4,156.01                              | \$3,641.98                               | \$7,798.00                                    |
| 334   | Bexar Body Works                         | 248  | 0.02814%  | \$ 509.92   | \$ 3,612.85   | \$ 4,122.77                              | \$3,612.85                               | \$7,735.61                                    |
| 335   | Gillis Brothers Service Center           | 247  | 0.02802%  | \$ 507.86   | \$ 3,598.28   | \$ 4,106.14                              | \$3,598.28                               | \$7,704.42                                    |
| 336   | International Auto Services              | 247  | 0.02802%  | \$ 507.86   | \$ 3,598.28   | \$ 4,106.14                              | \$3,598.28                               | \$7,704.42                                    |
| 337   | Flournoy Drilling                        | 246  | 0.02791%  | \$ 505.81   | \$ 3,583.71   | \$ 4,089.52                              | \$3,583.71                               | \$7,673.23                                    |
| 338   | Krum's Cycle Shop                        | 246  | 0.02791%  | \$ 505.81   | \$ 3,583.71   | \$ 4,089.52                              | \$3,583.71                               | \$7,673.23                                    |
| 339   | H & H Crane Service                      | 245  | 0.02780%  | \$ 503.75   | \$ 3,569.14   | \$ 4,072.89                              | \$3,569.14                               | \$7,642.04                                    |
| 340   | Flores Garage                            | 241  | 0.02734%  | \$ 495.53   | \$ 3,510.87   | \$ 4,006.40                              | \$3,510.87                               | \$7,517.27                                    |
| 341   | Griner's Texaco                          | 241  | 0.02734%  | \$ 495.53   | \$ 3,510.87   | \$ 4,006.40                              | \$3,510.87                               | \$7,517.27                                    |
| 342   | Bolf Truck & Equipment Repair            | 240  | 0.02723%  | \$ 493.47   | \$ 3,496.30   | \$ 3,989.77                              | \$3,496.30                               | \$7,486.08                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 12 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name  | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---|--|---|---|---|--|--|---|
| 343   | H. Arocha Trucking  | 240  | 0.02723%  | \$ 493.47   | \$ 3,496.30   | \$ 3,989.77                              | \$3,496.30                               | \$7,486.08                                    |
| 344   | Exxon A-1 Service Center  | 238  | 0.02700%  | \$ 489.36   | \$ 3,467.17   | \$ 3,956.52                              | \$3,467.17                               | \$7,423.69                                    |
| 345   | Landa Texaco  | 238  | 0.02700%  | \$ 489.36   | \$ 3,467.17   | \$ 3,956.52                              | \$3,467.17                               | \$7,423.69                                    |
| 346   | Ewing Conoco/Ewing Service Center                                     | 235  | 0.02666%  | \$ 483.19   | \$ 3,423.46   | \$ 3,906.65                              | \$3,423.46                               | \$7,330.12                                    |
| 347   | Lindsey Oil   | 235  | 0.02666%  | \$ 483.19   | \$ 3,423.46   | \$ 3,906.65                              | \$3,423.46                               | \$7,330.12                                    |
| 348   | Northeast San Antonio ISD: Madison,<br>Roosevelt and Lee High Schools | 235  | 0.02666%  | \$ 483.19   | \$ 3,423.46   | \$ 3,906.65                              | \$3,423.46                               | \$7,330.12                                    |
| 349   | Apollo Van Lines  | 230  | 0.02610%  | \$ 472.91   | \$ 3,350.62   | \$ 3,823.53                              | \$3,350.62                               | \$7,174.16                                    |
| 350   | Huck's Truck & Auto   | 230  | 0.02610%  | \$ 472.91   | \$ 3,350.62   | \$ 3,823.53                              | \$3,350.62                               | \$7,174.16                                    |
| 351   | John Altmann's Exxon  | 228  | 0.02587%  | \$ 468.80   | \$ 3,321.49   | \$ 3,790.28                              | \$3,321.49                               | \$7,111.77                                    |
| 352   | A & J Auto Repair   | 227  | 0.02575%  | \$ 466.74   | \$ 3,306.92   | \$ 3,773.66                              | \$3,306.92                               | \$7,080.58                                    |
| 353   | Broadway Gulf Auto Center   | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 354   | L & S Automotive  | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 355   | Miller Gulf   | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 356   | P A G Inc.  | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 357   | Roy's Tire & Auto   | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 358   | The Carriage House  | 225  | 0.02553%  | \$ 462.63   | \$ 3,277.78   | \$ 3,740.41                              | \$3,277.78                               | \$7,018.20                                    |
| 359   | Import Auto Service   | 224  | 0.02541%  | \$ 460.57   | \$ 3,263.22   | \$ 3,723.79                              | \$3,263.22                               | \$6,987.00                                    |
| 360   | Trinity Truck Services, Inc.  | 224  | 0.02541%  | \$ 460.57   | \$ 3,263.22   | \$ 3,723.79                              | \$3,263.22                               | \$6,987.00                                    |
| 361   | Rios Chevron  | 223  | 0.02530%  | \$ 458.52   | \$ 3,248.65   | \$ 3,707.16                              | \$3,248.65                               | \$6,955.81                                    |
| 362   | Dowell  | 222  | 0.02519%  | \$ 456.46   | \$ 3,234.08   | \$ 3,690.54                              | \$3,234.08                               | \$6,924.62                                    |
| 363   | Davis Texaco Service Center   | 221  | 0.02507%  | \$ 454.40   | \$ 3,219.51   | \$ 3,673.92                              | \$3,219.51                               | \$6,893.43                                    |
| 364   | A Acme Rents Rite   | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 365   | Central Auto Repair   | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 366   | Gohmert Transmission  | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 367   | Lack's Furniture  | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 368   | Patterson Rental Tools  | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 369   | Phillips Petroleum  | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 370   | Southern Moving & Storage   | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 371   | Temple Hill Automotive Repairs  | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00



**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                            | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|-------------------------------------|--|---|---|---|--|--|---|
| 372   | Watson Distributing Co.             | 220  | 0.02496%  | \$ 452.35   | \$ 3,204.94   | \$ 3,657.29                              | \$3,204.94                               | \$6,862.24                                    |
| 373   | Nesloney (Dolph) Auto Repair        | 216  | 0.02451%  | \$ 444.12   | \$ 3,146.67   | \$ 3,590.80                              | \$3,146.67                               | \$6,737.47                                    |
| 374   | Ohbayashi Corporation               | 216  | 0.02451%  | \$ 444.12   | \$ 3,146.67   | \$ 3,590.80                              | \$3,146.67                               | \$6,737.47                                    |
| 375   | B & B Brake & Align                 | 215  | 0.02439%  | \$ 442.07   | \$ 3,132.11   | \$ 3,574.17                              | \$3,132.11                               | \$6,706.28                                    |
| 376   | Conoco (2202 Fredricksburg Rd., SA) | 215  | 0.02439%  | \$ 442.07   | \$ 3,132.11   | \$ 3,574.17                              | \$3,132.11                               | \$6,706.28                                    |
| 377   | Pool Co. of Texas, Inc.             | 215  | 0.02439%  | \$ 442.07   | \$ 3,132.11   | \$ 3,574.17                              | \$3,132.11                               | \$6,706.28                                    |
| 378   | Zamarripa's Tire                    | 215  | 0.02439%  | \$ 442.07   | \$ 3,132.11   | \$ 3,574.17                              | \$3,132.11                               | \$6,706.28                                    |
| 379   | Garza's Automotive                  | 213  | 0.02417%  | \$ 437.95   | \$ 3,102.97   | \$ 3,540.92                              | \$3,102.97                               | \$6,643.89                                    |
| 380   | Hoan Lee                            | 213  | 0.02417%  | \$ 437.95   | \$ 3,102.97   | \$ 3,540.92                              | \$3,102.97                               | \$6,643.89                                    |
| 381   | Preco Machinery Sales Inc.          | 212  | 0.02405%  | \$ 435.90   | \$ 3,088.40   | \$ 3,524.30                              | \$3,088.40                               | \$6,612.70                                    |
| 382   | I 35 S Tire & Services              | 210  | 0.02383%  | \$ 431.79   | \$ 3,059.27   | \$ 3,491.05                              | \$3,059.27                               | \$6,550.32                                    |
| 383   | Medical Center Hospital             | 210  | 0.02383%  | \$ 431.79   | \$ 3,059.27   | \$ 3,491.05                              | \$3,059.27                               | \$6,550.32                                    |
| 384   | Exxon (Charles Kiehne)              | 209  | 0.02371%  | \$ 429.73   | \$ 3,044.70   | \$ 3,474.43                              | \$3,044.70                               | \$6,519.12                                    |
| 385   | Ben White Exxon                     | 208  | 0.02360%  | \$ 427.67   | \$ 3,030.13   | \$ 3,457.80                              | \$3,030.13                               | \$6,487.93                                    |
| 386   | Texaco (Kittie Petroleum Inc.)      | 207  | 0.02349%  | \$ 425.62   | \$ 3,015.56   | \$ 3,441.18                              | \$3,015.56                               | \$6,456.74                                    |
| 387   | Joel's Transport Refrigeration      | 205  | 0.02326%  | \$ 421.50   | \$ 2,986.43   | \$ 3,407.93                              | \$2,986.43                               | \$6,394.36                                    |
| 388   | Apple Dodge                         | 203  | 0.02303%  | \$ 417.39   | \$ 2,957.29   | \$ 3,374.68                              | \$2,957.29                               | \$6,331.97                                    |
| 389   | Koch Oil                            | 203  | 0.02303%  | \$ 417.39   | \$ 2,957.29   | \$ 3,374.68                              | \$2,957.29                               | \$6,331.97                                    |
| 390   | Toltec Construction, Inc.           | 203  | 0.02303%  | \$ 417.39   | \$ 2,957.29   | \$ 3,374.68                              | \$2,957.29                               | \$6,331.97                                    |
| 391   | The Circle Shop                     | 201  | 0.02280%  | \$ 413.28   | \$ 2,928.15   | \$ 3,341.43                              | \$2,928.15                               | \$6,269.59                                    |
| 392   | Autostar Oil Lube & Filter          | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 393   | Buckeye Automotive Services         | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 394   | Fredrick's A/C                      | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 395   | Jamie's Transmission                | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 396   | JVS Trucking                        | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 397   | Purolator Courier                   | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 398   | Sleep Well Auto Care Svc. Center    | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 399   | Southwest San Antonio ISD: Bus Barn | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 400   | Woodlake Country Club               | 200  | 0.02269%  | \$ 411.22   | \$ 2,913.59   | \$ 3,324.81                              | \$2,913.59                               | \$6,238.40                                    |
| 401   | Exhaust Service Center              | 197  | 0.02235%  | \$ 405.06   | \$ 2,869.88   | \$ 3,274.94                              | \$2,869.88                               | \$6,144.82                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 14 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                         | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|----------------------------------|--|---|---|---|--|--|---|
| 402   | Southwest Texas State University | 197  | 0.02235%  | \$ 405.06   | \$ 2,869.88   | \$ 3,274.94                              | \$2,869.88                               | \$6,144.82                                    |
| 403   | Auto Convoy Co.                  | 195  | 0.02212%  | \$ 400.94   | \$ 2,840.75   | \$ 3,241.69                              | \$2,840.75                               | \$6,082.44                                    |
| 404   | Sparrow Brothers Automotive      | 195  | 0.02212%  | \$ 400.94   | \$ 2,840.75   | \$ 3,241.69                              | \$2,840.75                               | \$6,082.44                                    |
| 405   | Bump-Sims                        | 192  | 0.02178%  | \$ 394.78   | \$ 2,797.04   | \$ 3,191.82                              | \$2,797.04                               | \$5,988.86                                    |
| 406   | Jack Lucas Exxon                 | 190  | 0.02156%  | \$ 390.66   | \$ 2,767.91   | \$ 3,158.57                              | \$2,767.91                               | \$5,926.48                                    |
| 407   | Mechanical Sales & Service       | 190  | 0.02156%  | \$ 390.66   | \$ 2,767.91   | \$ 3,158.57                              | \$2,767.91                               | \$5,926.48                                    |
| 408   | Hancor                           | 189  | 0.02144%  | \$ 388.61   | \$ 2,753.34   | \$ 3,141.95                              | \$2,753.34                               | \$5,895.29                                    |
| 409   | Affordable Housing               | 187  | 0.02122%  | \$ 384.49   | \$ 2,724.20   | \$ 3,108.70                              | \$2,724.20                               | \$5,832.90                                    |
| 410   | Brauback, John                   | 185  | 0.02099%  | \$ 380.38   | \$ 2,695.07   | \$ 3,075.45                              | \$2,695.07                               | \$5,770.52                                    |
| 411   | Eagle Auto Repair                | 185  | 0.02099%  | \$ 380.38   | \$ 2,695.07   | \$ 3,075.45                              | \$2,695.07                               | \$5,770.52                                    |
| 412   | Kee Motors                       | 184  | 0.02088%  | \$ 378.33   | \$ 2,680.50   | \$ 3,058.83                              | \$2,680.50                               | \$5,739.33                                    |
| 413   | U. C. Transmissions              | 184  | 0.02088%  | \$ 378.33   | \$ 2,680.50   | \$ 3,058.83                              | \$2,680.50                               | \$5,739.33                                    |
| 414   | Guss Mann                        | 183  | 0.02076%  | \$ 376.27   | \$ 2,665.93   | \$ 3,042.20                              | \$2,665.93                               | \$5,708.13                                    |
| 415   | Bolin Auto Sales                 | 182  | 0.02065%  | \$ 374.21   | \$ 2,651.36   | \$ 3,025.58                              | \$2,651.36                               | \$5,676.94                                    |
| 416   | Red's Texaco                     | 182  | 0.02065%  | \$ 374.21   | \$ 2,651.36   | \$ 3,025.58                              | \$2,651.36                               | \$5,676.94                                    |
| 417   | Mo Gear Co.                      | 181  | 0.02054%  | \$ 372.16   | \$ 2,636.80   | \$ 3,008.95                              | \$2,636.80                               | \$5,645.75                                    |
| 418   | Guerrero, E. S.                  | 180  | 0.02042%  | \$ 370.10   | \$ 2,622.23   | \$ 2,992.33                              | \$2,622.23                               | \$5,614.56                                    |
| 419   | Jack's Volkswagon                | 180  | 0.02042%  | \$ 370.10   | \$ 2,622.23   | \$ 2,992.33                              | \$2,622.23                               | \$5,614.56                                    |
| 420   | Soechting Motors                 | 180  | 0.02042%  | \$ 370.10   | \$ 2,622.23   | \$ 2,992.33                              | \$2,622.23                               | \$5,614.56                                    |
| 421   | Chevron-(2207 N. New Braunfels)  | 179  | 0.02031%  | \$ 368.05   | \$ 2,607.66   | \$ 2,975.71                              | \$2,607.66                               | \$5,583.37                                    |
| 422   | Austin I.S.D.                    | 175  | 0.01986%  | \$ 359.82   | \$ 2,549.39   | \$ 2,909.21                              | \$2,549.39                               | \$5,458.60                                    |
| 423   | Derflinger's Exxon               | 175  | 0.01986%  | \$ 359.82   | \$ 2,549.39   | \$ 2,909.21                              | \$2,549.39                               | \$5,458.60                                    |
| 424   | Helotes Park Exxon               | 175  | 0.01986%  | \$ 359.82   | \$ 2,549.39   | \$ 2,909.21                              | \$2,549.39                               | \$5,458.60                                    |
| 425   | Lake Garage Inc.                 | 175  | 0.01986%  | \$ 359.82   | \$ 2,549.39   | \$ 2,909.21                              | \$2,549.39                               | \$5,458.60                                    |
| 426   | Tri-Star                         | 175  | 0.01986%  | \$ 359.82   | \$ 2,549.39   | \$ 2,909.21                              | \$2,549.39                               | \$5,458.60                                    |
| 427   | RAMCO Transmission               | 174  | 0.01974%  | \$ 357.77   | \$ 2,534.82   | \$ 2,892.59                              | \$2,534.82                               | \$5,427.41                                    |
| 428   | Gregory                          | 172  | 0.01951%  | \$ 353.65   | \$ 2,505.68   | \$ 2,859.34                              | \$2,505.68                               | \$5,365.02                                    |
| 429   | Perrin Beitel Gulf               | 170  | 0.01929%  | \$ 349.54   | \$ 2,476.55   | \$ 2,826.09                              | \$2,476.55                               | \$5,302.64                                    |
| 430   | Action Engine & Trans            | 169  | 0.01917%  | \$ 347.48   | \$ 2,461.98   | \$ 2,809.46                              | \$2,461.98                               | \$5,271.45                                    |
| 431   | McKenzie Rental                  | 169  | 0.01917%  | \$ 347.48   | \$ 2,461.98   | \$ 2,809.46                              | \$2,461.98                               | \$5,271.45                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 15 of 24

**U.S. Environmental Protection Agency**

**R & H Oil/Tropicana Site**

**Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                         | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|----------------------------------|--|---|---|---|--|--|---|
| 432   | Friedrick Refrigerating          | 168  | 0.01906%  | \$ 345.43   | \$ 2,447.41   | \$ 2,792.84                              | \$2,447.41                               | \$5,240.25                                    |
| 433   | Hay's County Ready Mix           | 168  | 0.01906%  | \$ 345.43   | \$ 2,447.41   | \$ 2,792.84                              | \$2,447.41                               | \$5,240.25                                    |
| 434   | TKO Equip                        | 168  | 0.01906%  | \$ 345.43   | \$ 2,447.41   | \$ 2,792.84                              | \$2,447.41                               | \$5,240.25                                    |
| 435   | Badders Garage                   | 165  | 0.01872%  | \$ 339.26   | \$ 2,403.71   | \$ 2,742.97                              | \$2,403.71                               | \$5,146.68                                    |
| 436   | Cerda Tire Shop                  | 165  | 0.01872%  | \$ 339.26   | \$ 2,403.71   | \$ 2,742.97                              | \$2,403.71                               | \$5,146.68                                    |
| 437   | Hays County Automotive           | 165  | 0.01872%  | \$ 339.26   | \$ 2,403.71   | \$ 2,742.97                              | \$2,403.71                               | \$5,146.68                                    |
| 438   | Loredo, Ignacio                  | 165  | 0.01872%  | \$ 339.26   | \$ 2,403.71   | \$ 2,742.97                              | \$2,403.71                               | \$5,146.68                                    |
| 439   | Tire Service Center              | 165  | 0.01872%  | \$ 339.26   | \$ 2,403.71   | \$ 2,742.97                              | \$2,403.71                               | \$5,146.68                                    |
| 440   | Advantage Rent-A-Car             | 164  | 0.01861%  | \$ 337.20   | \$ 2,389.14   | \$ 2,726.34                              | \$2,389.14                               | \$5,115.49                                    |
| 441   | Conoco (McCullough at Olmos Dr.) | 164  | 0.01861%  | \$ 337.20   | \$ 2,389.14   | \$ 2,726.34                              | \$2,389.14                               | \$5,115.49                                    |
| 442   | Dietz Tractor Co.                | 163  | 0.01849%  | \$ 335.15   | \$ 2,374.57   | \$ 2,709.72                              | \$2,374.57                               | \$5,084.29                                    |
| 443   | Metric Auto                      | 163  | 0.01849%  | \$ 335.15   | \$ 2,374.57   | \$ 2,709.72                              | \$2,374.57                               | \$5,084.29                                    |
| 444   | Riedel Service Station           | 163  | 0.01849%  | \$ 335.15   | \$ 2,374.57   | \$ 2,709.72                              | \$2,374.57                               | \$5,084.29                                    |
| 445   | Southwest Precast                | 163  | 0.01849%  | \$ 335.15   | \$ 2,374.57   | \$ 2,709.72                              | \$2,374.57                               | \$5,084.29                                    |
| 446   | Aaction Automotive               | 162  | 0.01838%  | \$ 333.09   | \$ 2,360.00   | \$ 2,693.10                              | \$2,360.00                               | \$5,053.10                                    |
| 447   | Mike's Exxon                     | 162  | 0.01838%  | \$ 333.09   | \$ 2,360.00   | \$ 2,693.10                              | \$2,360.00                               | \$5,053.10                                    |
| 448   | Texaco (Main St.)                | 162  | 0.01838%  | \$ 333.09   | \$ 2,360.00   | \$ 2,693.10                              | \$2,360.00                               | \$5,053.10                                    |
| 449   | Big Red Bottling Co.             | 161  | 0.01827%  | \$ 331.04   | \$ 2,345.44   | \$ 2,676.47                              | \$2,345.44                               | \$5,021.91                                    |
| 450   | Air Star                         | 160  | 0.01815%  | \$ 328.98   | \$ 2,330.87   | \$ 2,659.85                              | \$2,330.87                               | \$4,990.72                                    |
| 451   | Alamo City Cycle                 | 160  | 0.01815%  | \$ 328.98   | \$ 2,330.87   | \$ 2,659.85                              | \$2,330.87                               | \$4,990.72                                    |
| 452   | Hyundai South Fork               | 160  | 0.01815%  | \$ 328.98   | \$ 2,330.87   | \$ 2,659.85                              | \$2,330.87                               | \$4,990.72                                    |
| 453   | Bexar Electric                   | 158  | 0.01793%  | \$ 324.87   | \$ 2,301.73   | \$ 2,626.60                              | \$2,301.73                               | \$4,928.33                                    |
| 454   | Carlos Diaz Texaco               | 157  | 0.01781%  | \$ 322.81   | \$ 2,287.17   | \$ 2,609.98                              | \$2,287.17                               | \$4,897.14                                    |
| 455   | Schulz Chevron                   | 157  | 0.01781%  | \$ 322.81   | \$ 2,287.17   | \$ 2,609.98                              | \$2,287.17                               | \$4,897.14                                    |
| 456   | Town & Country Auto Ranch        | 157  | 0.01781%  | \$ 322.81   | \$ 2,287.17   | \$ 2,609.98                              | \$2,287.17                               | \$4,897.14                                    |
| 457   | Tesoro Fleet Serv. Co.           | 156  | 0.01770%  | \$ 320.75   | \$ 2,272.60   | \$ 2,593.35                              | \$2,272.60                               | \$4,865.95                                    |
| 458   | Imperial Transmission            | 155  | 0.01759%  | \$ 318.70   | \$ 2,258.03   | \$ 2,576.73                              | \$2,258.03                               | \$4,834.76                                    |
| 459   | Kinsel Ford                      | 153  | 0.01736%  | \$ 314.59   | \$ 2,228.89   | \$ 2,543.48                              | \$2,228.89                               | \$4,772.37                                    |
| 460   | Hinson's Auto Repair             | 151  | 0.01713%  | \$ 310.47   | \$ 2,199.76   | \$ 2,510.23                              | \$2,199.76                               | \$4,709.99                                    |
| 461   | Beck Foundation                  | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator

Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator

Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                                   | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|--|--|---|---|---|--|--|---|
| 462   | Porter, Arthur                             | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 463   | R & L Automotive                           | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 464   | R.P.S. Auto                                | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 465   | Texaco (Employees Coffee Fund)             | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 466   | Thomas Kaderli Exxon                       | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 467   | Wilkins, Walter                            | 150  | 0.01702%  | \$ 308.42   | \$ 2,185.19   | \$ 2,493.61                              | \$2,185.19                               | \$4,678.80                                    |
| 468   | Broadway Transmission                      | 147  | 0.01668%  | \$ 302.25   | \$ 2,141.49   | \$ 2,443.74                              | \$2,141.49                               | \$4,585.22                                    |
| 469   | City of Floresville Electric Light & Power | 145  | 0.01645%  | \$ 298.14   | \$ 2,112.35   | \$ 2,410.49                              | \$2,112.35                               | \$4,522.84                                    |
| 470   | Ryder Rentals (Truck Rental)               | 145  | 0.01645%  | \$ 298.14   | \$ 2,112.35   | \$ 2,410.49                              | \$2,112.35                               | \$4,522.84                                    |
| 471   | Conoco (515 Austin Blvd.)                  | 144  | 0.01634%  | \$ 296.08   | \$ 2,097.78   | \$ 2,393.86                              | \$2,097.78                               | \$4,491.65                                    |
| 472   | Goodyear Tire DeZavala Rd.                 | 143  | 0.01622%  | \$ 294.03   | \$ 2,083.21   | \$ 2,377.24                              | \$2,083.21                               | \$4,460.45                                    |
| 473   | Perez Gulf Service Station                 | 143  | 0.01622%  | \$ 294.03   | \$ 2,083.21   | \$ 2,377.24                              | \$2,083.21                               | \$4,460.45                                    |
| 474   | Monk, Shannon S.                           | 141  | 0.01600%  | \$ 289.91   | \$ 2,054.08   | \$ 2,343.99                              | \$2,054.08                               | \$4,398.07                                    |
| 475   | Eddy Wyatt Inc.                            | 140  | 0.01588%  | \$ 287.86   | \$ 2,039.51   | \$ 2,327.37                              | \$2,039.51                               | \$4,366.88                                    |
| 476   | Freeman, C.                                | 140  | 0.01588%  | \$ 287.86   | \$ 2,039.51   | \$ 2,327.37                              | \$2,039.51                               | \$4,366.88                                    |
| 477   | Leaseway Distribution                      | 140  | 0.01588%  | \$ 287.86   | \$ 2,039.51   | \$ 2,327.37                              | \$2,039.51                               | \$4,366.88                                    |
| 478   | McQuaide Auto Service                      | 140  | 0.01588%  | \$ 287.86   | \$ 2,039.51   | \$ 2,327.37                              | \$2,039.51                               | \$4,366.88                                    |
| 479   | Neese Motor Co., Inc.                      | 140  | 0.01588%  | \$ 287.86   | \$ 2,039.51   | \$ 2,327.37                              | \$2,039.51                               | \$4,366.88                                    |
| 480   | Frank's Tire Shop                          | 139  | 0.01577%  | \$ 285.80   | \$ 2,024.94   | \$ 2,310.74                              | \$2,024.94                               | \$4,335.69                                    |
| 481   | Medina Valley Exxon                        | 136  | 0.01543%  | \$ 279.63   | \$ 1,981.24   | \$ 2,260.87                              | \$1,981.24                               | \$4,242.11                                    |
| 482   | Pennzoil                                   | 136  | 0.01543%  | \$ 279.63   | \$ 1,981.24   | \$ 2,260.87                              | \$1,981.24                               | \$4,242.11                                    |
| 483   | Rogelio's Transmission                     | 136  | 0.01543%  | \$ 279.63   | \$ 1,981.24   | \$ 2,260.87                              | \$1,981.24                               | \$4,242.11                                    |
| 484   | Automotive Surgeons                        | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 485   | Herder Truck Lines                         | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 486   | Leo's Texaco                               | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 487   | Ruiz & Sons Trucking                       | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 488   | Standard Gypsum                            | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 489   | Strawn Merchandise                         | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 490   | Union Pacific                              | 135  | 0.01532%  | \$ 277.58   | \$ 1,966.67   | \$ 2,244.25                              | \$1,966.67                               | \$4,210.92                                    |
| 491   | Wayne's Texaco                             | 134  | 0.01520%  | \$ 275.52   | \$ 1,952.10   | \$ 2,227.62                              | \$1,952.10                               | \$4,179.73                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                      | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|-------------------------------|--|---|---|---|--|--|---|
| 492   | Caldwell Garage               | 131  | 0.01486%  | \$ 269.35   | \$ 1,908.40   | \$ 2,177.75                              | \$1,908.40                               | \$4,086.15                                    |
| 493   | Keith Bryan                   | 130  | 0.01475%  | \$ 267.30   | \$ 1,893.83   | \$ 2,161.13                              | \$1,893.83                               | \$4,054.96                                    |
| 494   | Leonard's Garage              | 130  | 0.01475%  | \$ 267.30   | \$ 1,893.83   | \$ 2,161.13                              | \$1,893.83                               | \$4,054.96                                    |
| 495   | Metro Transmission            | 130  | 0.01475%  | \$ 267.30   | \$ 1,893.83   | \$ 2,161.13                              | \$1,893.83                               | \$4,054.96                                    |
| 496   | Safety Ride (Strafco, Inc.)   | 130  | 0.01475%  | \$ 267.30   | \$ 1,893.83   | \$ 2,161.13                              | \$1,893.83                               | \$4,054.96                                    |
| 497   | Salinas Car Care              | 130  | 0.01475%  | \$ 267.30   | \$ 1,893.83   | \$ 2,161.13                              | \$1,893.83                               | \$4,054.96                                    |
| 498   | Christa's Service Center      | 128  | 0.01452%  | \$ 263.18   | \$ 1,864.70   | \$ 2,127.88                              | \$1,864.70                               | \$3,992.57                                    |
| 499   | Oak Hill Exxon                | 128  | 0.01452%  | \$ 263.18   | \$ 1,864.70   | \$ 2,127.88                              | \$1,864.70                               | \$3,992.57                                    |
| 500   | City of Sequin                | 127  | 0.01441%  | \$ 261.13   | \$ 1,850.13   | \$ 2,111.25                              | \$1,850.13                               | \$3,961.38                                    |
| 501   | Goodyear - 4131 S.W. Military | 127  | 0.01441%  | \$ 261.13   | \$ 1,850.13   | \$ 2,111.25                              | \$1,850.13                               | \$3,961.38                                    |
| 502   | Auto Works, Inc.              | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 503   | David Lopez                   | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 504   | J. C. Hilbigs Phillips 66     | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 505   | Owen's Garage                 | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 506   | Southwest Truck Stop          | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 507   | Texaco (9919 San Pedro)       | 125  | 0.01418%  | \$ 257.02   | \$ 1,820.99   | \$ 2,078.01                              | \$1,820.99                               | \$3,899.00                                    |
| 508   | Galido Saenz Texaco           | 122  | 0.01384%  | \$ 250.85   | \$ 1,777.29   | \$ 2,028.13                              | \$1,777.29                               | \$3,805.42                                    |
| 509   | Leasit, Inc.                  | 122  | 0.01384%  | \$ 250.85   | \$ 1,777.29   | \$ 2,028.13                              | \$1,777.29                               | \$3,805.42                                    |
| 510   | Posey Auto Sales              | 121  | 0.01373%  | \$ 248.79   | \$ 1,762.72   | \$ 2,011.51                              | \$1,762.72                               | \$3,774.23                                    |
| 511   | Alex's Service Station (Fina) | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 512   | Applewhite's Automotive       | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 513   | Auto Masters, Inc.            | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 514   | Lynda's Tire Service          | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 515   | Maxey's Transmission Service  | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 516   | Mission City Beverage         | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 517   | Urbina Transmission           | 120  | 0.01361%  | \$ 246.73   | \$ 1,748.15   | \$ 1,994.89                              | \$1,748.15                               | \$3,743.04                                    |
| 518   | Gates Exxon                   | 118  | 0.01339%  | \$ 242.62   | \$ 1,719.02   | \$ 1,961.64                              | \$1,719.02                               | \$3,680.65                                    |
| 519   | Grayson Street Garage         | 117  | 0.01327%  | \$ 240.57   | \$ 1,704.45   | \$ 1,945.01                              | \$1,704.45                               | \$3,649.46                                    |
| 520   | STS Specialized Trans. Svc.   | 116  | 0.01316%  | \$ 238.51   | \$ 1,689.88   | \$ 1,928.39                              | \$1,689.88                               | \$3,618.27                                    |
| 521   | Hill Country Mobil            | 113  | 0.01282%  | \$ 232.34   | \$ 1,646.18   | \$ 1,878.52                              | \$1,646.18                               | \$3,524.69                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                     | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|------------------------------|--|---|---|---|--|--|---|
| 522   | G & S Tire & Auto            | 112  | 0.01271%  | \$ 230.29   | \$ 1,631.61   | \$ 1,861.89                              | \$1,631.61                               | \$3,493.50                                    |
| 523   | Oak Hills Gulf Service       | 112  | 0.01271%  | \$ 230.29   | \$ 1,631.61   | \$ 1,861.89                              | \$1,631.61                               | \$3,493.50                                    |
| 524   | Alice ISD Auto Shop          | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 525   | Andy's Gulf                  | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 526   | Bill Mezzetti Tire Co.       | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 527   | Bolado's Automotive Inc.     | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 528   | Budget Rent A Car            | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 529   | Central Auto Mart            | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 530   | Cortez Trucking              | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 531   | Gannon                       | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 532   | Narbaiz Garage               | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 533   | River City Hydraulics        | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 534   | Roos Auto Parts Co.          | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 535   | San Marcos Alignment         | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 536   | San Marcos Truck Stop        | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 537   | Texas Transmission & Engine  | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 538   | Walker Construction Co.      | 110  | 0.01248%  | \$ 226.17   | \$ 1,602.47   | \$ 1,828.65                              | \$1,602.47                               | \$3,431.12                                    |
| 539   | Andrews, T. A.               | 105  | 0.01191%  | \$ 215.89   | \$ 1,529.63   | \$ 1,745.53                              | \$1,529.63                               | \$3,275.16                                    |
| 540   | Dollar Rent A Car            | 105  | 0.01191%  | \$ 215.89   | \$ 1,529.63   | \$ 1,745.53                              | \$1,529.63                               | \$3,275.16                                    |
| 541   | S & R Auto Service           | 105  | 0.01191%  | \$ 215.89   | \$ 1,529.63   | \$ 1,745.53                              | \$1,529.63                               | \$3,275.16                                    |
| 542   | Thompson Buick-Pontiac GMC   | 105  | 0.01191%  | \$ 215.89   | \$ 1,529.63   | \$ 1,745.53                              | \$1,529.63                               | \$3,275.16                                    |
| 543   | Union Camp Corp.             | 105  | 0.01191%  | \$ 215.89   | \$ 1,529.63   | \$ 1,745.53                              | \$1,529.63                               | \$3,275.16                                    |
| 544   | Avery & Co                   | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 545   | Ditch Witch of Central Texas | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 546   | Harris Garage                | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 547   | J & M Boltswagen             | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 548   | Landa Tire & Auto            | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 549   | Liberty Transmissions        | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 550   | McDougal's Automotive        | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 551   | Podest Exxon                 | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                  | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---------------------------|--|---|---|---|--|--|---|
| 552   | Star Automotive           | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 553   | Stewart Trucks            | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 554   | Texaco (900 W. Commerce)  | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 555   | Texas Corrugators         | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 556   | Traditional Chevrolet     | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 557   | Walker Tire Co.           | 100  | 0.01135%  | \$ 205.61   | \$ 1,456.79   | \$ 1,662.41                              | \$1,456.79                               | \$3,119.20                                    |
| 558   | Ditmar Lumber             | 96   | 0.01089%  | \$ 197.39   | \$ 1,398.52   | \$ 1,595.91                              | \$1,398.52                               | \$2,994.43                                    |
| 559   | Lone Star Volkswagon      | 96   | 0.01089%  | \$ 197.39   | \$ 1,398.52   | \$ 1,595.91                              | \$1,398.52                               | \$2,994.43                                    |
| 560   | North Star Motors, Inc.   | 96   | 0.01089%  | \$ 197.39   | \$ 1,398.52   | \$ 1,595.91                              | \$1,398.52                               | \$2,994.43                                    |
| 561   | Phil's Auto Service       | 96   | 0.01089%  | \$ 197.39   | \$ 1,398.52   | \$ 1,595.91                              | \$1,398.52                               | \$2,994.43                                    |
| 562   | Mary Mtr (Mary & Israel)  | 95   | 0.01078%  | \$ 195.33   | \$ 1,383.95   | \$ 1,579.29                              | \$1,383.95                               | \$2,963.24                                    |
| 563   | Motorcycle Shop           | 95   | 0.01078%  | \$ 195.33   | \$ 1,383.95   | \$ 1,579.29                              | \$1,383.95                               | \$2,963.24                                    |
| 564   | Sears Central Service     | 95   | 0.01078%  | \$ 195.33   | \$ 1,383.95   | \$ 1,579.29                              | \$1,383.95                               | \$2,963.24                                    |
| 565   | Excel Auto Center         | 92   | 0.01044%  | \$ 189.16   | \$ 1,340.25   | \$ 1,529.41                              | \$1,340.25                               | \$2,869.66                                    |
| 566   | Marshall Distributing     | 92   | 0.01044%  | \$ 189.16   | \$ 1,340.25   | \$ 1,529.41                              | \$1,340.25                               | \$2,869.66                                    |
| 567   | Exxon (700 S St. Mary's)  | 91   | 0.01032%  | \$ 187.11   | \$ 1,325.68   | \$ 1,512.79                              | \$1,325.68                               | \$2,838.47                                    |
| 568   | Austin Automotive         | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 569   | B & N Transmission        | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 570   | Conoco (1828 Nogalitos)   | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 571   | Randolph Exxon            | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 572   | River City Auto           | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 573   | Weiss Garage              | 90   | 0.01021%  | \$ 185.05   | \$ 1,311.11   | \$ 1,496.16                              | \$1,311.11                               | \$2,807.28                                    |
| 574   | North Central Auto Plex   | 89   | 0.01010%  | \$ 182.99   | \$ 1,296.55   | \$ 1,479.54                              | \$1,296.55                               | \$2,776.09                                    |
| 575   | North Park Hyundai        | 86   | 0.00976%  | \$ 176.83   | \$ 1,252.84   | \$ 1,429.67                              | \$1,252.84                               | \$2,682.51                                    |
| 576   | Alisco's Garage           | 85   | 0.00964%  | \$ 174.77   | \$ 1,238.27   | \$ 1,413.04                              | \$1,238.27                               | \$2,651.32                                    |
| 577   | Chandler's Texaco         | 85   | 0.00964%  | \$ 174.77   | \$ 1,238.27   | \$ 1,413.04                              | \$1,238.27                               | \$2,651.32                                    |
| 578   | John's Lone Star          | 85   | 0.00964%  | \$ 174.77   | \$ 1,238.27   | \$ 1,413.04                              | \$1,238.27                               | \$2,651.32                                    |
| 579   | Texas State Highway Dept. | 85   | 0.00964%  | \$ 174.77   | \$ 1,238.27   | \$ 1,413.04                              | \$1,238.27                               | \$2,651.32                                    |
| 580   | Ziegler, Thad             | 85   | 0.00964%  | \$ 174.77   | \$ 1,238.27   | \$ 1,413.04                              | \$1,238.27                               | \$2,651.32                                    |
| 581   | Durham Transportation     | 82   | 0.00930%  | \$ 168.60   | \$ 1,194.57   | \$ 1,363.17                              | \$1,194.57                               | \$2,557.74                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                        | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---------------------------------|--|---|---|---|--|--|---|
| 582   | B & S Automotive                | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 583   | Butter Krust Bakery (Garage)    | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 584   | Import Car Repair, Inc.         | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 585   | Interstate Transmission Repair  | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 586   | Loomis Armored                  | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 587   | Valero Energy Corporation       | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 588   | West Court Exxon                | 80   | 0.00908%  | \$ 164.49   | \$ 1,165.43   | \$ 1,329.92                              | \$1,165.43                               | \$2,495.36                                    |
| 589   | Frank's Auto & Truck Service    | 79   | 0.00896%  | \$ 162.43   | \$ 1,150.87   | \$ 1,313.30                              | \$1,150.87                               | \$2,464.17                                    |
| 590   | Karson Auto Shop & Welding      | 78   | 0.00885%  | \$ 160.38   | \$ 1,136.30   | \$ 1,296.68                              | \$1,136.30                               | \$2,432.97                                    |
| 591   | Taylor Rentals                  | 76   | 0.00862%  | \$ 156.27   | \$ 1,107.16   | \$ 1,263.43                              | \$1,107.16                               | \$2,370.59                                    |
| 592   | 87 Gear Parts & Service         | 75   | 0.00851%  | \$ 154.21   | \$ 1,092.59   | \$ 1,246.80                              | \$1,092.59                               | \$2,339.40                                    |
| 593   | Auto Check                      | 75   | 0.00851%  | \$ 154.21   | \$ 1,092.59   | \$ 1,246.80                              | \$1,092.59                               | \$2,339.40                                    |
| 594   | Blairs Exxon                    | 75   | 0.00851%  | \$ 154.21   | \$ 1,092.59   | \$ 1,246.80                              | \$1,092.59                               | \$2,339.40                                    |
| 595   | Rivera, Hector J.               | 75   | 0.00851%  | \$ 154.21   | \$ 1,092.59   | \$ 1,246.80                              | \$1,092.59                               | \$2,339.40                                    |
| 596   | W. W. Inc.                      | 75   | 0.00851%  | \$ 154.21   | \$ 1,092.59   | \$ 1,246.80                              | \$1,092.59                               | \$2,339.40                                    |
| 597   | Armstrong Automotive            | 73   | 0.00828%  | \$ 150.10   | \$ 1,063.46   | \$ 1,213.56                              | \$1,063.46                               | \$2,277.01                                    |
| 598   | Aztec Rental Center             | 73   | 0.00828%  | \$ 150.10   | \$ 1,063.46   | \$ 1,213.56                              | \$1,063.46                               | \$2,277.01                                    |
| 599   | Aguilera's Transmission Service | 72   | 0.00817%  | \$ 148.04   | \$ 1,048.89   | \$ 1,196.93                              | \$1,048.89                               | \$2,245.82                                    |
| 600   | Canyon Automotive               | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 601   | Davis Tire Co.                  | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 602   | Goll Automotive                 | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 603   | Joe's Garage                    | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 604   | Lackey Oil Co.                  | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 605   | Lange Automotive                | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 606   | Master's Hand Automotive        | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 607   | Oval Automotive                 | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 608   | Randolph Auto Garage            | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 609   | Remitz Distributing             | 70   | 0.00794%  | \$ 143.93   | \$ 1,019.76   | \$ 1,163.68                              | \$1,019.76                               | \$2,183.44                                    |
| 610   | Downtown Truck Service          | 69   | 0.00783%  | \$ 141.87   | \$ 1,005.19   | \$ 1,147.06                              | \$1,005.19                               | \$2,152.25                                    |
| 611   | Normal Budget Transmission      | 69   | 0.00783%  | \$ 141.87   | \$ 1,005.19   | \$ 1,147.06                              | \$1,005.19                               | \$2,152.25                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00



**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                        | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|---------------------------------|--|---|---|---|--|--|---|
| 612   | C Reagan                        | 67   | 0.00760%  | \$ 137.76   | \$ 976.05   | \$ 1,113.81                              | \$976.05                                 | \$2,089.86                                    |
| 613   | Wood's Garage                   | 67   | 0.00760%  | \$ 137.76   | \$ 976.05   | \$ 1,113.81                              | \$976.05                                 | \$2,089.86                                    |
| 614   | Affordable Brake Center         | 65   | 0.00737%  | \$ 133.65   | \$ 946.92   | \$ 1,080.56                              | \$946.92                                 | \$2,027.48                                    |
| 615   | J & E Small Engine Repair       | 65   | 0.00737%  | \$ 133.65   | \$ 946.92   | \$ 1,080.56                              | \$946.92                                 | \$2,027.48                                    |
| 616   | Kenny's Automotive              | 65   | 0.00737%  | \$ 133.65   | \$ 946.92   | \$ 1,080.56                              | \$946.92                                 | \$2,027.48                                    |
| 617   | AAA Transmission                | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 618   | Albert's Garage                 | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 619   | Auto Tech                       | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 620   | Bell Hydrogas                   | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 621   | Best Transmission               | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 622   | C & C Supply                    | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 623   | Chief Mechanic                  | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 624   | Closner Equipment Co.           | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 625   | Harkins Drilling Co.            | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 626   | Henry Rose Garage               | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 627   | Lackey's Conoco                 | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 628   | Magoo's Car Clinic              | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 629   | River City Volvo                | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 630   | Super Fuels                     | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 631   | Tavo Salinas Exxon Svc. Station | 60   | 0.00681%  | \$ 123.37   | \$ 874.08   | \$ 997.44                                | \$874.08                                 | \$1,871.52                                    |
| 632   | Ernie's Auto                    | 59   | 0.00669%  | \$ 121.31   | \$ 859.51   | \$ 980.82                                | \$859.51                                 | \$1,840.33                                    |
| 633   | Herbies Gulf/Contreras Gulf Svc | 59   | 0.00669%  | \$ 121.31   | \$ 859.51   | \$ 980.82                                | \$859.51                                 | \$1,840.33                                    |
| 634   | Schoffer                        | 59   | 0.00669%  | \$ 121.31   | \$ 859.51   | \$ 980.82                                | \$859.51                                 | \$1,840.33                                    |
| 635   | 1-Stop Automotive               | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 636   | Abel Bros. Auto Service         | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 637   | Argenal & Sons                  | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 638   | Big Ed's Automotive Center      | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 639   | Blue Bell Creameries            | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 640   | Bobby's Auto Parts, Inc.        | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 641   | Firestone 9057 FM 78            | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

Enforcement Confidential

Page 22 of 24

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP # | PRP Name                          | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|-------|-----------------------------------|--|---|---|---|--|--|---|
| 642   | Fred Luderus Tire Service         | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 643   | J&J Automotive                    | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 644   | L & E General Auto Repairs        | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 645   | MAC Auto Parts                    | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 646   | Pan American Transmission Parts   | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 647   | Posey, Darlene                    | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 648   | San Antonio Trade School          | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 649   | Solis Automotive Inc.             | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 650   | Super Van                         | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 651   | Tamez Auto & Tire Shop            | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 652   | Thrash Automotive                 | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 653   | US Air                            | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 654   | Villasenor Tire Shop              | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 655   | W. F. Castella & Associates       | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 656   | Yellow Checker Cab                | 55   | 0.00624%  | \$ 113.09   | \$ 801.24   | \$ 914.32                                | \$801.24                                 | \$1,715.56                                    |
| 657   | Century Automotive                | 53   | 0.00601%  | \$ 108.97   | \$ 772.10   | \$ 881.07                                | \$772.10                                 | \$1,653.18                                    |
| 658   | Alamo Generator                   | 50   | 0.00567%  | \$ 102.81   | \$ 728.40   | \$ 831.20                                | \$728.40                                 | \$1,559.60                                    |
| 659   | Basse Rd Garage                   | 50   | 0.00567%  | \$ 102.81   | \$ 728.40   | \$ 831.20                                | \$728.40                                 | \$1,559.60                                    |
| 660   | Bob's Mustang Parts               | 50   | 0.00567%  | \$ 102.81   | \$ 728.40   | \$ 831.20                                | \$728.40                                 | \$1,559.60                                    |
| 661   | Bryant Automotive                 | 50   | 0.00567%  | \$ 102.81   | \$ 728.40   | \$ 831.20                                | \$728.40                                 | \$1,559.60                                    |
| 662   | Patton Auto & Tire                | 50   | 0.00567%  | \$ 102.81   | \$ 728.40   | \$ 831.20                                | \$728.40                                 | \$1,559.60                                    |
| 663   | Wilson County Auto Parts          | 46   | 0.00522%  | \$ 94.58  | \$ 670.12   | \$ 764.71                                | \$670.12                                 | \$1,434.83                                    |
| 664   | Sankico Autos                     | 45   | 0.00511%  | \$ 92.53  | \$ 655.56   | \$ 748.08                                | \$655.56                                 | \$1,403.64                                    |
| 665   | Ybarra Auto Service Center        | 45   | 0.00511%  | \$ 92.53  | \$ 655.56   | \$ 748.08                                | \$655.56                                 | \$1,403.64                                    |
| 666   | Car Works                         | 43   | 0.00488%  | \$ 88.41  | \$ 626.42   | \$ 714.83                                | \$626.42                                 | \$1,341.26                                    |
| 667   | Clark Tires                       | 41   | 0.00465%  | \$ 84.30  | \$ 597.29   | \$ 681.59                                | \$597.29                                 | \$1,278.87                                    |
| 668   | Trinity Automotive & Machine Shop | 41   | 0.00465%  | \$ 84.30  | \$ 597.29   | \$ 681.59                                | \$597.29                                 | \$1,278.87                                    |
| 669   | Downtown Muffler                  | 40   | 0.00454%  | \$ 82.24  | \$ 582.72   | \$ 664.96                                | \$582.72                                 | \$1,247.68                                    |
| 670   | J. Nava Garage                    | 40   | 0.00454%  | \$ 82.24  | \$ 582.72   | \$ 664.96                                | \$582.72                                 | \$1,247.68                                    |
| 671   | Laguna's Service Station          | 40   | 0.00454%  | \$ 82.24  | \$ 582.72   | \$ 664.96                                | \$582.72                                 | \$1,247.68                                    |

(1) Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

(2) Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**U.S. Environmental Protection Agency  
R & H Oil/Tropicana Site  
Cost Allocation Table**

For deliberative purpose only. Not an offer to settle unless accompanied by an offer letter from U.S. EPA.

| PRP #          | PRP Name                      | A<br>Number of<br>Gallons<br>Attributed to<br>PRP<br>(Waste-In<br>Documents) | B<br>Gallons<br>Attributed to<br>PRP as %<br>(A / total site<br>volume) | C<br>Allocated Past<br>Costs =<br>\$1,812,240.62(1) x<br>% of Total<br>Allocation (B) | D<br>Allocated Future<br>Costs =<br>\$9,630,000.00(2) x %<br>of Total Allocation<br>(B) | E<br>Total Allocated<br>Costs<br>(C + D) | F<br>Allocated<br>Premium<br>(100% of D) | G<br>Proposed<br>Settlement Amount<br>(E + F) |
|----------------|-------------------------------|--|---|---|---|--|--|---|
| 672            | Morin's Auto Center           | 40   | 0.00454%  | \$ 82.24  | \$ 582.72   | \$ 664.96                                | \$582.72                                 | \$1,247.68                                    |
| 673            | Victor's Service Center, Inc. | 40   | 0.00454%  | \$ 82.24  | \$ 582.72   | \$ 664.96                                | \$582.72                                 | \$1,247.68                                    |
| 674            | JV Auto Electric Service      | 39   | 0.00442%  | \$ 80.19  | \$ 568.15   | \$ 648.34                                | \$568.15                                 | \$1,216.49                                    |
| 675            | Saathoff Heavy Equipment      | 38   | 0.00431%  | \$ 78.13  | \$ 553.58   | \$ 631.71                                | \$553.58                                 | \$1,185.30                                    |
| 676            | Tampo Mfg. Co. Inc.           | 36   | 0.00408%  | \$ 74.02  | \$ 524.45   | \$ 598.47                                | \$524.45                                 | \$1,122.91                                    |
| 677            | Gaedcke                       | 35   | 0.00397%  | \$ 71.96  | \$ 509.88   | \$ 581.84                                | \$509.88                                 | \$1,091.72                                    |
| 678            | Ewing, Josh                   | 15   | 0.00170%  | \$ 30.84  | \$ 218.52   | \$ 249.36                                | \$218.52                                 | \$467.88                                      |
| <b>Totals:</b> |                               | <b>881,388</b>   | <b>100.00000%</b>   | <b>\$ 1,812,240.62</b>  | <b>\$ 12,840,000.00</b>   | <b>\$ 14,652,240.62</b>                  | <b>\$12,840,000.00</b>                   | <b>\$27,492,240.62</b>                        |

<sup>(1)</sup> Total Past Site Cost (\$2,416,320.82) X 75% Generator  
Share = \$1,812,240.62

<sup>(2)</sup> Estimated Future Costs (\$12,840,000.00) X 75% Generator  
Share = \$9,630,000.00

**ENCLOSURE 3**  
**PREMIUM EXPLANATION**

## **PREMIUM EXPLANATION DOCUMENT**

### **Proposed De Minimis Settlement**

*In the Matter of R&H Oil/Tropicana Superfund Site, San Antonio, Texas, CERCLA Docket No.*

In 1995, EPA's Office of Site Remediation and Enforcement ("OSRE") issued a guidance document entitled "Standardizing the De Minimis Premium", which, inter alia, counsels the regional offices negotiating de minimis settlements to communicate the premium determination process to settlors and other interested parties. The guidance establishes presumptive premium figures and recommends their use in most cases.

After receiving a de minimis settlement offer from the U.S. Environmental Protection Agency ("EPA"), potential de minimis settlors often have several questions. This document is intended to answer questions concerning the de minimis premium.

This document answers three commonly-asked questions:

- (1) What is a premium?
- (2) What is EPA's general policy on premiums in de minimis settlements?
- (3) How was the premium in this settlement determined?

#### **1. What is a premium?**

Typically, a de minimis settlement offer comprises of both a "base payment" and a "premium". The premium is essentially a risk-transfer mechanism, similar to an insurance premium. When a de minimis party obtains a final resolution of liability, it shifts its liability-related risks to the government and, in many cases, to other potentially responsible parties ("PRPs"). In exchange for a release from liability, EPA normally requires de minimis settlors to pay a premium in addition to their base payment amounts. The premium is typically a percentage of the future cost component of the settlor's base payment and is determined as a matter of EPA's enforcement discretion.

The type and magnitude of risks that are shifted by a de minimis settlement vary. However, in each case, the primary reason for increased risk to EPA and the remaining PRPs is the finality of the de minimis settlement. This finality results both from the breadth of the settlement's "covenant not to sue", and from the fact that, in de minimis settlements, EPA omits the settlement "reopeners" that are typically included in Superfund settlements.

In addition, the extent of the uncertainties at a site at the time of settlement contributes to the degree of risk shifted by the de minimis settlement. These uncertainties include, among others, (1) the cost and extent of future response actions, (2) the potential magnitude of the site's orphan share, and (3) accuracy of EPA's determination of each de minimis party's share.

By paying a premium as part of settlement, the de minimis party compensates for the finality it obtains and for the risks others assume. Thus, the amount of the premium depends on

the degree of finality afforded to the settlor and the extent of risk assumed by the Agency and the site's remaining PRPs.

## 2. What is EPA's general policy on premiums in de minimis settlements?

EPA seeks to offer de minimis settlements to eligible PRPs as early in the site cleanup process as possible. Moreover, EPA makes every effort to craft de minimis settlement offers on terms that will be acceptable to all parties at the site – including non-de minimis parties. In light of the risks that are transferred to both EPA and to other PRPs by a de minimis settlement, EPA issued a policy in June 1995 that set forth presumptive premiums to be applied in most de minimis settlements.

This policy states that if the settlement does not contain a remedy cost reopener (and thereby grants the settlors maximum finality), the premium should usually be 100 percent. If the settlement does contain such a reopener, the premium should usually be 50 percent. These presumptive figures are based on the premiums assessed in more than 150 settlements that were developed under the Agency's enforcement discretion, subjected to public notice and comment, and approved by a court.

Although EPA's policy recommends the use of these figures, the premium determination remains a matter of EPA's enforcement discretion. Among the types of circumstances that may justify a Regional Office's deviation from these presumptive premiums are:

- Remedy costs. Uncertainty regarding remedy cost may be due to the possibility of cost fluctuations, remedy contingencies, or remedy failure.
- Magnitude of the orphan share. Relative uncertainty regarding the orphan share may be reflected in the premium if the orphan share has not simply been reallocated among all PRPs at the site.
- Waste allocation. Relative uncertainty in the waste allocation may concern the quantity of waste contributed (e.g., where the contribution may be greater or less than estimated but still within the de minimis cutoff); or the nature or toxicity of the waste contributed (e.g., where the statutory requirement regarding toxicity is set, but some uncertainty remains regarding the relative type or toxicity of waste contributed).

## 3. How was the premium in this settlement determined?

Given that this is an early de minimis settlement with a great deal of uncertainty about remedy costs, magnitude of the orphan share, and waste allocation, EPA is using the standard 100% premium in this particular settlement.

A. Remedy costs. At the present time, remedial action costs are tremendously difficult to predict because only preliminary site assessment studies have been conducted at this Site.

Without a remedial investigation or feasibility study, the exact site conditions and the required remedial actions cannot accurately be known. Although the Remedial Project Manager for this Site has prepared a detailed remediation cost estimate, the estimate is based on very conservative assumptions and limited site data.

B. Orphan share. EPA has identified PRPs who are bankrupt, insolvent, or defunct through the Agency's search for PRPs. The orphan share is estimated to be from 15% to 21%.

C. Waste allocation. A volumetric allocation based on pickup slips, checks, check stubs, and 104(e) responses was developed and supports the settlement offer. The pickup slips, checks, and check stubs were salvaged from the abandoned site property. Therefore, it is likely that EPA was unable to salvage all the documents pertaining to volume transported to the Site, and the premium is necessary to insure EPA from the risk that the volumetric allocation has underestimated the volumetric contributions of the de minimis settlers.

**ENCLOSURE 4**  
**DRAFT ADMINISTRATIVE ORDER ON CONSENT**



---

IN THE MATTER OF:

R&H Oil/Tropicana Site  
San Antonio, Texas

Proceeding under Section 122(g)(4)  
of the Comprehensive Environmental  
Response, Compensation, and  
Liability Act of 1980, as amended,  
42 U.S.C. 9622(g)(4)

---

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

U.S. EPA Docket No. \_\_\_\_\_

**ADMINISTRATIVE ORDER  
ON CONSENT**

**CERCLA SECTION 122(g)(4) *DE MINIMIS* CONTRIBUTOR  
ADMINISTRATIVE ORDER ON CONSENT**

## TABLE OF CONTENTS

In the Matter of R&H Oil/Tropicana Superfund Site, CERCLA Docket No. \_\_\_\_.

|        |  |    |
|--------|--|----|
| I.     | <u>JURISDICTION</u> .....                                  | 1  |
| II.    | <u>STATEMENT OF PURPOSE</u> .....                          | 1  |
| III.   | <u>DEFINITIONS</u> .....                                   | 2  |
| IV.    | <u>STATEMENT OF FACTS</u> .....                            | 3  |
| V.     | <u>EPA'S DETERMINATIONS</u> .....                          | 5  |
| VI.    | <u>ORDER</u> .....   | 6  |
| VII.   | <u>PAYMENT</u> .....                                       | 6  |
| VIII.  | <u>FAILURE BY RESPONDENTS TO MAKE PAYMENT.</u> .....       | 7  |
| IX.    | <u>CERTIFICATIONS OF RESPONDENTS.</u> .....                | 7  |
| X.     | <u>COVENANTS BY EPA</u> .....                              | 7  |
| XI.    | <u>RESERVATIONS OF RIGHTS BY EPA</u> .....                 | 8  |
| XII.   | <u>COVENANTS BY RESPONDENTS.</u> .....                     | 8  |
| XIII.  | <u>EFFECT OF SETTLEMENT/CONTRIBUTION PROTECTION.</u> ..... | 9  |
| XIV.   | <u>PARTIES BOUND</u> .....                                 | 10 |
| XV.    | <u>INTEGRATION/APPENDICES</u> .....                        | 10 |
| XVI.   | <u>PUBLIC COMMENT</u> .....                                | 10 |
| XVII.  | <u>ATTORNEY GENERAL APPROVAL</u> .....                     | 10 |
| XVIII. | <u>EFFECTIVE DATE.</u> .....                               | 11 |

|   |   |                                  |
|---|---|----------------------------------|
| <b>IN THE MATTER OF:</b>                      | § | <b>U.S. EPA Docket No. _____</b> |
|   | § |                                  |
| <b>R&amp;H Oil/Tropicana Superfund Site</b>   | § |                                  |
| <b>San Antonio, Texas</b>                     | § |                                  |
|   | § |                                  |
| <b>Proceeding under Section 122(g)(4)</b>     | § |                                  |
| <b>of the Comprehensive Environmental</b>     | § |                                  |
| <b>Response, Compensation,</b>                | § |                                  |
| <b>and Liability Act of 1980, as amended,</b> | § |                                  |
| <b>42 U.S.C. 9622(g)(4)</b>                   | § |                                  |
|   | § | <b>ADMINISTRATIVE ORDER</b>      |
|   |   | <b>ON CONSENT</b>                |

## **I. JURISDICTION**

1. This Administrative Order on Consent ("Consent Order" or "Order") is issued pursuant to the authority vested in the President of the United States by Section 122(g)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9622(g)(4), to reach settlements in actions under Sections 106 or 107 of CERCLA, 42 U.S.C. §§ 9606 or 9607. The authority vested in the President has been delegated to the Administrator of the United States Environmental Protection Agency ("EPA") by Executive Order 12580, 52 Fed. Reg. 2923 (Jan. 29, 1987), and further delegated to the Regional Administrators of the EPA by EPA Delegation No. 14-14-E (May 11, 1994). Those authorities were further delegated to the Director, Superfund Division, by EPA Regional Delegation No. R6-14-14-E (August 4, 1995).

2. This Administrative Order on Consent is issued to the parties identified in Appendix A ("Respondents"). Each Respondent agrees to undertake all actions required by this Consent Order. Each Respondent further consents to and will not contest EPA's jurisdiction to issue this Consent Order or to implement or enforce its terms.

3. The EPA and Respondents agree that the actions undertaken by the Respondents in accordance with this Consent Order do not constitute an admission of any liability by any Respondent. The Respondents do not admit, and retain the right to controvert in any subsequent proceedings other than proceedings to implement or enforce this Consent Order, the validity of the Statement of Facts or Determinations contained in Sections IV and V, respectively, of this Consent Order.

## **II. STATEMENT OF PURPOSE**

4. By entering into this Consent Order, the mutual objectives of the Parties are:

a. to reach a final settlement among the Parties with respect to the Site pursuant to Section 122(g) of CERCLA, 42 U.S.C. § 9622(g), that allows the Respondents to make a cash

payment, including a premium, to resolve their alleged civil liability under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, for Response Costs incurred and to be incurred at or in connection with the Site, thereby reducing litigation relating to the Site;

b. to simplify any remaining administrative and judicial enforcement activities concerning the Site by eliminating a substantial number of potentially responsible parties from further involvement at the Site; and

c. to obtain settlement with the Respondents for their fair share of Response Costs incurred and to be incurred at or in connection with the Site by the EPA Hazardous Substance Superfund and by private parties and to provide for full and complete contribution protection for Respondents with regard to the Site pursuant to Sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. §§ 9613(f)(2) and 9622(g)(5).

### **III. DEFINITIONS**

5. Unless otherwise expressly provided herein, terms used in this Consent Order that are defined in CERCLA or in regulations promulgated under CERCLA shall have the meaning assigned to them in the statute or regulations. Whenever the terms listed below are used in this Consent Order, the following definitions shall apply:

a. "CERCLA" shall mean the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, *et seq.*

b. "Consent Order" or "Order" shall mean this Administrative Order on Consent and all appendices attached hereto. In the event of conflict between this Order and any appendix, the Order shall control.

c. "Day" shall mean a calendar day. In computing any period of time under this Consent Decree, where the last day would fall on a Saturday, Sunday, or federal holiday, the period shall run until the close of business of the next working day.

d. "EPA" shall mean the United States Environmental Protection Agency and any successor departments, agencies, or instrumentalities.

e. "EPA Hazardous Substance Superfund" shall mean the Hazardous Substance Superfund established by the Internal Revenue Code, 26 U.S.C. § 9507.

f. "Interest" shall mean interest at the current rate specified for interest on investments of the EPA Hazardous Substance Superfund established by 26 U.S.C. § 9507,

compounded annually on October 1 of each year, in accordance with 42 U.S.C. § 9607(a).<sup>1</sup>

g. "Paragraph" shall mean a portion of this Consent Order identified by an arabic numeral.

h. "Parties" shall mean EPA and Respondents.

i. "Respondents" shall mean those persons, corporations, or other entities listed in Appendix A.

j. "Response Costs" shall mean all costs of "response" as that term is defined by Section 101(25) of CERCLA, 42 U.S.C. § 9601(25).

k. "Section" shall mean a portion of this Consent Order identified by a roman numeral.

l. "Site" shall mean the R&H Oil/Tropicana Superfund Site, encompassing approximately seven acres, located at 403 Somerset Road, San Antonio, Bexar County, Texas, located approximately one mile west of Interstate 35 and depicted more clearly on the map attached as Appendix C.

n. "United States" shall mean the United States of America, including its departments, agencies, and instrumentalities, which includes, without limitation, the EPA.

#### **IV. STATEMENT OF FACTS**

6. The Site is a seven-acre inactive oil refinery and waste oil disposal facility at 403 and 507 Somerset in San Antonio, Bexar County, Texas, located approximately five miles southwest of downtown San Antonio. The Site consists of two parcels of property that share a common fence boundary and some common past owner/operators. The Site is bordered by an auto service center to the north, the Union Pacific Railroad line to the west, residential, commercial, and industrial development to the south and east, Somerset Road to the east, and Kelly Air Force Base to the west. The Site is located in a densely populated area of San Antonio with ten schools within a one-mile radius. The facility has been abandoned since the early 1990s, with its last operations as a waste oil facility.

7. At the time of removal assessment, the northern parcel of the Site consisted of twenty-eight aboveground storage tanks filled with material, extensive refining equipment and piping,

---

<sup>1</sup> The Superfund currently is invested in 52-week MK bills. The interest rate for these MK bills changes on October 1 of each year. To obtain the current rate, contact Vince Velez, Office of Administration and Resource Management, Financial Management Division, Superfund Accounting Branch, at (202) 260-6465.

sumps, and other storage containers. There was approximately 73,710 gallons of waste materials found onsite. The southern parcel of the Site consisted of eleven aboveground storage tanks, piping, eighteen empty drums, and nine drums that contained approximately 184 gallons of hazardous substance.

8. Hazardous substances found at the Site include benzene, chlorobenzene, ethylbenzene, tetrachloroethene, toluene, methylnaphthalene, 2-methylphenol, m,p-methophenol, naphthalene, methylene chloride, acetone, 2-butanone, arsenic, barium, cadmium, chromium, cobalt, copper, lead, nickel, selenium, and zinc. These substances were mixed in with used oil, used oil sludge, corrosive liquids, and oil-contaminated water in the aboveground storage tanks, separator, sump, and drum containers. The removal assessment determined that approximately 73,710 gallons of materials were onsite. These materials were categorized as corrosive hazardous wastes. Approximately 2,180 square feet of asbestos materials were also found onsite in the insulations for the pipes, boiler, tanks, equipment, and building tile/mastic.

9. Releases of hazardous substances were occurring from the aboveground storage tanks into the soil and groundwater, from the hazardous waste storage tanks overflowing, and from active or historic leaking from several of the aboveground storage tanks and piping to the surface soils.

10. As a result of the release or threatened release of hazardous substances, EPA has undertaken response actions at or in connection with the Site under Section 104 of CERCLA, 42 U.S.C. § 9604. On June 26, 2001, the Superfund Division Director of EPA Region 6 signed two Action Memoranda finding that conditions at the Site constituted an imminent and substantial endangerment to the public health, welfare, or the environment.

11. In response to the release and/or threatened release of hazardous substances from the Site, EPA commenced time-critical removal actions at the Site in August 2001, pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604. The response action on the northern parcel of the Site consisted of removing materials from piping, asbestos abatement with air monitoring, removal and disposal of waste oil, contaminated water, contaminated sulphuric acid, oily debris, sludge, and visibly contaminated soil and concrete. Additionally, the aboveground storage tanks, piping, and a storage shed with contaminated wooden flooring and soil were demolished. As for the southern portion of the Site, contaminated water from tanks, drums, and an underground storage tank were disposed of. Sixty-four square yards (64 yd<sup>2</sup>) of contaminated soil and concrete were also removed and disposed of. The aboveground storage tanks were demolished.

12. In performing these response actions, EPA has incurred costs at or in connection with the Site. As of December 31, 2005, EPA has incurred costs at this Site totaling \$2,416,320.82. Based on current estimates, EPA expects to incur future remedial costs of \$12,840,000.00.

13. Each Respondent listed on Appendix A arranged for disposal or treatment, or arranged with a transporter for transport for disposal or treatment, of a hazardous substance

owned or possessed by such Respondent, by any other person or entity, at the Site, or accepted a hazardous substance for transport to the Site which was selected by such Respondent.

14. The amount of hazardous substances contributed to the Site by each Respondent does not exceed 0.49% of the hazardous substances found at the Site, and the hazardous substances contributed by each Respondent to the Site are not significantly more toxic or of significantly greater hazardous effect than other hazardous substances at the Site. Appendix C lists the volume of hazardous substances contributed to the Site by each Respondent.

15. The EPA estimates that the total response costs incurred and to be incurred at or in connection with the Site by the EPA Hazardous Substance Superfund and by private parties is \$15,256,320.82. The payment required to be made by each Respondent pursuant to this Consent Order is a minor portion of this total amount.

## **V. EPA'S DETERMINATIONS**

16. Based upon the Statement of Facts set forth above and on the administrative record for this Site, EPA has determined that:

a. The R&H Oil/Tropicana Superfund site is a "facility" as that term is defined in Section 101(9) of CERCLA, 42 U.S.C. § 9601(9);

b. Each Respondent is a "person" as that term is defined in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21);

c. Each Respondent is a "potentially responsible party" within the meaning of Section 122(g)(1) of CERCLA, 42 U.S.C. § 9622(g)(1);

d. There has been an actual or threatened "release" of a "hazardous substance" from the Site as those terms are defined in Section 101(22) and (14) of CERCLA, 42 U.S.C. § 9601(22) and (14);

e. The actual or threatened "release" caused the incurrence of response costs;

f. Prompt settlement with each Respondent is practicable and in the public interest within the meaning of Section 122(g)(1) of CERCLA, 42 U.S.C. § 9622(g)(1);

g. As to each Respondent, this Consent Order involves only a minor portion of the response costs at the Site within the meaning of Section 122(g)(1) of CERCLA, 42 U.S.C. § 9622(g)(1); and

h. The amount of hazardous substances contributed to the Site by each Respondent and the toxic or other hazardous effects of the hazardous substances contributed to

the Site by each Respondent are minimal in comparison to other hazardous substances at the Site within the meaning of Section 122(g)(1)(A) of CERCLA, 42 U.S.C. § 9622(g)(1)(A).

## **VI. ORDER**

17. Based upon the administrative record for the Site and the Statement of Facts and Determinations set forth above, and in consideration of the promises and covenants set forth herein, the following is hereby AGREED TO AND ORDERED:

## **VII. PAYMENT**

18. Within 30 days of the effective date of this Consent Order, each Respondent shall pay to the EPA Hazardous Substance Superfund the amount which corresponds to each Respondent's contribution to the Site, set forth in Appendix C to this Consent Order.

19. Each Respondent's payment includes an amount for: (a) past response costs incurred at or in connection with the Site; (b) projected future response costs to be incurred at or in connection with the Site; and (c) a premium to cover the risks and uncertainties associated with this settlement, including but not limited to, the risk that total response costs incurred or to be incurred at or in connection with the Site by the EPA Hazardous Substance Superfund, or by any private party, will exceed the estimated total response costs upon which Respondents' payments are based.

20. Each payment shall be made by certified or cashier's check made payable to "EPA Hazardous Substance Superfund." Each check shall reference the name and address of the party making payment, the Site name, the EPA Region and Site Spill ID Number 06MB, and the EPA docket number for this action, and shall be sent to:

EPA Superfund-R&H Oil/Tropicana Superfund Site (06MB)  
CERCLIS #: TXD057577579  
Superfund Accounting  
P.O. Box 360582M  
Pittsburgh, Pennsylvania 15251  
ATTN: COLLECTION OFFICER FOR SUPERFUND

Of the total amount to be paid pursuant to this Consent Order, the past costs amount for each Respondent, as indicated by column C of the Cost Allocation Table (Appendix C), shall be deposited in the EPA Hazardous Substance Superfund as reimbursement for response costs incurred at or in connection with response actions at the Site. The remainder of the settlement amount paid shall be deposited in the R&H Oil/Tropicana Superfund Site Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance the response action at or in connection with the Site. Any balance remaining in the R&H Oil/Tropicana Superfund Site Special Account after the conclusion of response action shall be



transferred by EPA to the EPA Hazardous Substance Fund.

21. At the time of payment, each Respondent shall send notice that such payment has been made to:

Buddy Parr, Chief  
Superfund Cost Recovery Section (6SF-AC)  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

#### **VIII. FAILURE BY RESPONDENTS TO MAKE PAYMENT**

22. If any Respondent fails to make full payment within the time required by Paragraph 18, that Respondent shall pay Interest on the unpaid balance. In addition, if any Respondent fails to make full payment as required by Paragraph 18, the United States may, in addition to any other available remedies or sanctions, bring an action against that Respondent seeking injunctive relief to compel payment and/or seeking civil penalties under Section 122(*I*) of CERCLA, 42 U.S.C. § 9622(*I*), for failure to make timely payment.

#### **IX. CERTIFICATIONS OF RESPONDENTS AND FEDERAL RESPONDENTS**

23. By signing this Consent Order, each Respondent certifies, individually, that, to the best of its knowledge and belief, it has:

a. conducted a thorough, comprehensive, good faith search for documents, and has fully and accurately disclosed to EPA, all information currently in its possession, or in the possession of its officers, directors, employees, contractors or agents, which relates in any way to the ownership, operation, or control of the Site, or to the ownership, possession, generation, treatment, transportation, storage or disposal of a hazardous substance, pollutant, or contaminant at or in connection with the Site;

b. not altered, mutilated, discarded, destroyed or otherwise disposed of any records, documents, or other information relating to its potential liability regarding the Site after notification of potential liability or the filing of a suit against it regarding the Site; and

c. fully complied with any and all EPA requests for information regarding the Site pursuant to Sections 104(e) and 122(e) of CERCLA, 42 U.S.C. §§ 9604(e) and 9622(e).

#### **X. COVENANTS BY EPA**

24. In consideration of the payments that will be made by the Respondents under the

terms of this Consent Order, and except as specifically provided in Section XI (Reservations of Rights by EPA), EPA covenants not to sue or take administrative action against any of the Respondents pursuant to Sections 106 or 107 of CERCLA, 42 U.S.C. §§ 9606 or 9607, relating to the Site. With respect to present and future liability, this covenant not to sue shall take effect for each Respondent upon receipt of that Respondent's payment as required by Section VII. With respect to each Respondent, individually, this covenant not to sue is conditioned upon: (a) the satisfactory performance by the Respondent of all obligations under this Consent Order; and (b) the veracity of the information provided to EPA by the Respondent relating to the Respondent's involvement with the Site. This covenant not to sue extends only to the Respondents and does not extend to any other person.

## **XI. RESERVATIONS OF RIGHTS BY EPA**

25. The covenants by EPA set forth in Paragraph 24 do not pertain to any matters other than those expressly contained therein. EPA reserves, and this Consent Order is without prejudice to, all rights against Respondents with respect to all other matters including, but not limited to:

- a. liability for failure to meet a requirement of this Consent Order;
- b. criminal liability;
- c. liability for damages for injury to, destruction of, or loss of natural resources and for the costs of any natural resource damage assessments; or
- d. liability arising from any future arrangement for disposal or treatment of a hazardous substance, pollutant, or contaminant at the Site after the effective date of this Consent Order.

26. Notwithstanding any other provision in this Consent Order, EPA reserves, and this Consent Order is without prejudice to, the right to institute judicial proceedings against any Respondent or administrative proceedings against any individual Respondent seeking to compel that Respondent to perform response actions relating to the Site, and/or to reimburse the United States for additional costs of response, if information is discovered which indicates that such Respondent contributed hazardous substances to the Site in such greater amount or of such greater toxic or other hazardous effects that such Respondent no longer qualifies as a *de minimis* party at the Site because such Respondent contributed greater than 0.49% of the hazardous substances at the Site or contributed hazardous substances which are significantly more toxic or are of significantly greater hazardous effect than other hazardous substances at the Site.

## **XII. COVENANT BY RESPONDENTS**

27. The Respondents covenant not to assert any claims or causes of action against EPA

or its contractors or employees, with respect to the Site or this Consent Order including, but not limited to:

a. any direct or indirect claim for reimbursement from the EPA Hazardous Substance Superfund based on Sections 106(b)(2), 107, 111, 112, or 113 of CERCLA, 42 U.S.C. §§ 9606(b)(2), 9607, 9611, 9612, or 9613, or any other provision of law;

b. any claims arising out of response activities at the Site; and

c. any claim against EPA pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. §§ 9607 and 9613, relating to the Site.

28. Nothing in this Consent Order shall be deemed to constitute preauthorization or approval of a claim within the meaning of Section 111 of CERCLA, 42 U.S.C. § 9611, or 40 C.F.R. 300.700(d).

29. Each Respondent covenants not to sue or assert any claims or causes of action against each other with regard to Response Costs for the Site pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. §§ 9607 and 9613.

### **XIII. EFFECT OF SETTLEMENT/CONTRIBUTION PROTECTION**

30. Nothing in this Consent Order shall be construed to create any rights in, or grant any cause of action to, any person not a Party to this Consent Order. The EPA and the Respondents each reserve any and all rights (including, but not limited to, any right to contribution), defenses, claims, demands, and causes of action which each Party may have with respect to any matter, transaction, or occurrence relating in any way to the Site against any person not a Party hereto.

31. In any subsequent administrative or judicial proceeding initiated by EPA for injunctive relief, recovery of response costs, or other relief relating to the Site, the Respondents shall not assert, and may not maintain, any defense or claim based upon the principles of waiver, *res judicata*, collateral estoppel, issue preclusion, claim-splitting, or other defenses based upon any contention that the claims raised in the subsequent proceeding were or should have been brought in the instant action; provided, however, that nothing in this Paragraph affects the enforceability of the covenant not to sue included in Paragraph 24.

32. The Parties agree that each Respondent is entitled, as of the effective date of this Consent Order, to protection from contribution actions or claims as provided by Sections 113(f)(2) and 122(g)(5) of CERCLA, 42 U.S.C. §§ 9613(f)(2) and 9622(g)(5), for "matters addressed" in this Consent Order. The "matters addressed" in this Consent Order are all response actions taken by EPA and by private parties, and all response costs incurred and to be incurred by EPA and by private parties, at or in connection with the Site, subject to the Reservation of Rights by EPA set forth in Section XI.

#### **XIV. PARTIES BOUND**

33. This Consent Order shall apply to and be binding upon EPA, the Respondents, and each Party's heirs, successors, and assigns. Any change in ownership or corporate or other legal status of a Respondent, including but not limited to, any transfer of assets or real or personal property, shall in no way alter such Respondent's responsibilities under this Consent Order. Each signatory to this Consent Order certifies that he or she is authorized to enter into the terms and conditions of this Consent Order and to execute and bind legally the party represented by him or her.

#### **XV. INTEGRATION/APPENDICES**

34. This Consent Order and its appendices constitute the final, complete and exclusive agreement and understanding among the Parties with respect to the settlement embodied in this Consent Order. The Parties acknowledge that there are no representations, agreements, or understandings relating to the settlement other than those expressly contained in this Consent Order. The following appendices are attached to and incorporated into this Consent Order:

"Appendix A" is the list of Respondents.

"Appendix B" is the map of the Site.

"Appendix C" is the cost allocation table

"Appendix E" is the approval of the Department of Justice.

#### **XVI. PUBLIC COMMENT**

35. This Consent Order shall be subject to a public comment period of not less than thirty (30) days pursuant to Section 122(i) of CERCLA, 42 U.S.C. § 9622(i). In accordance with Section 122(i)(3) of CERCLA, 42 U.S.C. § 9622(i)(3), EPA may withdraw or withhold its consent to this Consent Order if comments received disclose facts or considerations which indicate that this Consent Order is inappropriate, improper, or inadequate.

#### **XVII. ATTORNEY GENERAL APPROVAL**

36. The settlement embodied in this Consent Order is subject to the approval of the Attorney General of the United States, in accordance with Section 122(g)(4) of CERCLA, 42 U.S.C. § 9622(g)(4).

### **XVIII. EFFECTIVE DATE**

37. The effective date of this Consent Order shall be the date upon which EPA issues written notice to Respondents and Federal Respondents that the public comment period pursuant to Paragraph 35 has closed and that comments received, if any, do not require modification of or EPA withdrawal from this Consent Order.

IT IS SO AGREED AND ORDERED:

U.S. Environmental Protection Agency

By:

\_\_\_\_\_  
Samuel Coleman, P.E.  
Director, Superfund Division, Region 6

\_\_\_\_\_  
[Date]

|                                  |   |                             |
|----------------------------------|---|-----------------------------|
| IN THE MATTER OF:                | § | U.S. EPA Docket No. _____   |
|                                  | § |                             |
| R&H Oil/Tropicana Superfund Site | § | <b>ADMINISTRATIVE ORDER</b> |
| San Antonio, Texas               | § | <b>ON CONSENT</b>           |
|                                  | § |                             |
| Respondents Listed in Appendix A | § | Pursuant to CERCLA 122(g),  |
|                                  | § | 42 U.S.C. 9622(g)           |

THE UNDERSIGNED RESPONDENT enters into this Consent Order in the matter of CERCLA \_\_\_\_\_ relating to the R&H Oil/Tropicana Superfund Site, San Antonio, Texas:

FOR RESPONDENT:

\_\_\_\_\_  
Print Name of Respondent (i.e., name of company or other entity)

\_\_\_\_\_  
Print Address

By: \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print name of Signatory

Written notice to the following notification contact person will constitute complete satisfaction of any written notice requirement (if any) of this Consent Order with respect to the Respondents who has signed above:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Address

**APPENDIX A**

**R&H OIL/TROPICANA SUPERFUND SITE  
LIST OF RESPONDENTS**

**LIST OF PARTIES RECEIVING  
R&H OIL/TROPICANA  
DE MINIMIS AOC**

|  |
|--|
| <u>221 Fleet Services</u>  |
| <u>A Acme Rents Rite</u>   |
| <u>A. J. Ploch Oil Co., Inc.</u>   |
| <u>A-1 Transmission</u>  |
| <u>Aaction Automotive</u>  |
| <u>AAFES: Lackland Service Station, Ft. Sam Houston<br/>Service Center, and Kelly AFB Service Station</u>                                  |
| <u>AAMCO/AAMCO Transmission</u>  |
| <u>Abbott Chrysler Dodge</u>   |
| <u>Action Engine &amp; Trans</u>   |
| <u>Adan Bros Texaco</u>  |
| <u>Advantage Rent-A-Car</u>  |
| <u>Affordable Housing</u>  |
| <u>Air Star</u>  |
| <u>Alamo Aircraft</u>  |
| <u>Alamo Car Rental/Alamo Rent-A-Car</u>   |
| <u>Alamo City Cycle</u>  |
| <u>Alamo City Trucking/Alamo City Truck Service</u>  |
| <u>Alamo Community College Dist: San Antonio College,<br/>ACCD Motor Pool, St. Phillips S W Center, SW<br/>Campus St. Phillips College</u> |
| <u>Alamo Hydraulics</u>  |
| <u>Alamo Truck Center, Inc.</u>  |
| <u>Anderson Garage</u>   |
| <u>APG Lime</u>  |
| <u>Apollo Van Lines</u>  |
| <u>Apple Dodge</u>   |
| <u>Applewhite's Automotive</u>   |
| <u>Austin ISD</u>  |
| <u>Auto Convoy Co.</u>   |
| <u>Auto Haus</u>   |
| <u>Auto Masters, Inc.</u>  |
| <u>Auto Works, Inc.</u>  |
| <u>Automotive Surgeons</u>   |
| <u>B &amp; B Brake &amp; Align</u>   |
| <u>B &amp; C Service Center</u>  |
| <u>B &amp; M Automotive</u>  |
| <u>B. C. Garage</u>  |
| <u>Badders Garage</u>  |
| <u>Ballenger Construction Co.</u>  |
| <u>Banis Automotive Services</u>   |
| <u>Baumann Auto Repair</u>   |
| <u>Beck Foundation</u>   |



|   |
|---|
| <u>Bednarz Service Center</u>   |
| <u>Ben White Exxon</u>  |
| <u>Benson Chevrolet</u>   |
| <u>Bert's Motor Works</u>   |
| <u>Bexar Body Works</u>   |
| <u>Bexar County: Bexar County Maintenance, Bexar County Court House, Bexar County Prec. 3</u> |
| <u>Bexar Electric</u>   |
| <u>Bexar Tire</u>   |
| <u>Big Red Bottling Co.</u>   |
| <u>Bill Bickman Gulf</u>  |
| <u>Bill's Auto Repairs</u>  |
| <u>Bill's Chevron (Fair Ave.)</u>   |
| <u>Blanco Transmission Services</u>   |
| <u>Bob Treece</u>   |
| <u>Bob's Auto Service</u>   |
| <u>Bob's Performance Transmission</u>   |
| <u>Boening Agriculture</u>  |
| <u>Bolf Truck &amp; Equipment Repair</u>  |
| <u>Bolin Auto Sales</u>   |
| <u>Brauback, John</u>   |
| <u>Broadway Gulf Auto Center</u>  |
| <u>Buckeye Automotive</u>   |
| <u>Budget Transmission Repairs</u>  |
| <u>Bump-Sims</u>  |
| <u>C &amp; C Auto and Tire</u>  |
| <u>C &amp; S Tire &amp; Automotive</u>  |
| <u>Caldwell Garage</u>  |
| <u>Caldwell Motors (Automotive)</u>   |
| <u>Cambridge Garage/Cambridge Auto Center</u>   |
| <u>Capital Equipment</u>  |
| <u>Carlos Diaz Texaco</u>   |
| <u>Case Power &amp; Equipment</u>   |
| <u>Cavender Olds</u>  |
| <u>Cavender Toyota</u>  |
| <u>Cecil Tindall Chevrolet &amp; Oldsmobile</u>   |
| <u>Central Auto Repair</u>  |
| <u>Central Tire</u>   |
| <u>Cerda Tire Shop</u>  |
| <u>Charles Moore Texaco (Texaco Service Stn)</u>  |
| <u>Chevron-(2207 N. New Braunfels)</u>  |
| <u>Chevron-(4802 Walzem)</u>  |
| <u>Chevron-3619 Zarzamora</u>   |
| <u>Chuck Nash Rentals Inc. / Chevrolet</u>  |
| <u>City Cab Conoco</u>  |
| <u>City of Alice</u>  |
| <u>City of Floresville Electric Light &amp; Power</u>   |

|   |
|---|
| <u>City of Kerrville</u>  |
| <u>City of San Antonio: San Antonio Police Dept., City Public Works, City of San Antonio Water Board, San Antonio Dept. of Aviation</u> |
| <u>City of Seguin</u>   |
| <u>City Transmission</u>  |
| <u>Coastal Transport Inc.</u>   |
| <u>Comet Service Station</u>  |
| <u>Commercial Body Corp</u>   |
| <u>Conoco (2202 Fredericksburg Rd.)</u>   |
| <u>Conoco (515 Austin Blvd)</u>   |
| <u>Conoco (McCullough at Olmos Dr)</u>  |
| <u>Conrad's Automotive Center</u>   |
| <u>Cooper Equipment Company</u>   |
| <u>Crenwelge Motors/Crenwelge Buick</u>   |
| <u>Cycle World</u>  |
| <u>D &amp; D Transmission Service</u>   |
| <u>David Colbath Transmissions</u>  |
| <u>David Lane Automotive</u>  |
| <u>David Lopez</u>  |
| <u>Davis Texaco Service Center</u>  |
| <u>Davis Truck &amp; Equipment</u>  |
| <u>Dean Coley Auto Service, Inc.</u>  |
| <u>Delcrest Mobil/Raul Villarreal</u>   |
| <u>Derflinger's Exxon</u>   |
| <u>DEW Inc.</u>   |
| <u>Dietz Tractor Co.</u>  |
| <u>Dornak Automotive</u>  |
| <u>Dot Metal Inc/Dot Metal Products</u>   |
| <u>Douglas, A D</u>   |
| <u>Dover Elevator</u>   |
| <u>Dowell</u>   |
| <u>DSM Drilling</u>   |
| <u>Du Mor Enterprises, Inc.</u>   |
| <u>Dykman Texaco</u>  |
| <u>Eagle Auto Repair</u>  |
| <u>Easter's Gulf Service Center</u>   |
| <u>Eddy Wyatt, Inc.</u>   |
| <u>EDW Trucking/Zero Refrigeration</u>  |
| <u>Ewald Ford Tractors, Inc.</u>  |
| <u>Ewing Conoco/Ewing Service Center</u>  |
| <u>Exhaust Service Center</u>   |
| <u>Exxon - 1554 Bandera</u>   |
| <u>Exxon (4302 Callaghan)</u>   |
| <u>Exxon (Charles Kiehne)</u>   |
| <u>Exxon A-1 Service Center</u>   |
| <u>Fast Change Oil &amp; Lube</u>   |

|  |
|--|
| <u>Federal Express</u>                           |
| <u>FESCO Inc.</u>                                |
| <u>Firebird Fleet Service/Mobil Oil</u>          |
| <u>Five Points Exxon</u>                         |
| <u>Flasher Equipment Co.</u>                     |
| <u>Fleming Foods</u>                             |
| <u>Flores Garage</u>                             |
| <u>Flournoy Drilling</u>                         |
| <u>Fredrick's A/C</u>                            |
| <u>Freeman, C</u>                                |
| <u>Friedrick Refrigerating</u>                   |
| <u>Fritz's Gulf</u>                              |
| <u>Frontier Enterprises</u>                      |
| <u>Full Service Auto Inc.</u>                    |
| <u>G &amp; H Equipment</u>                       |
| <u>Garbage Gobbler</u>                           |
| <u>Garza's Automotive</u>                        |
| <u>Gates Exxon</u>                               |
| <u>German Motor Imports</u>                      |
| <u>Gillis (Gillit) Brothers Service Center</u>   |
| <u>Gillman Honda/Gillman Mitsubishi</u>          |
| <u>GLI/Williams Distributing</u>                 |
| <u>Gohmert Transmission</u>                      |
| <u>Go-Mack Sales &amp; Service</u>               |
| <u>Goodyear - 4131 S.W. Military</u>             |
| <u>Goodyear- 1498 Hillcrest</u>                  |
| <u>Goodyear Tire De Zavala Rd.</u>               |
| <u>Goodyear West Ave.</u>                        |
| <u>Goodyear: 8011 Bandera Rd.+1346 Fair Ave.</u> |
| <u>Grace Drilling</u>                            |
| <u>Grace Equipment</u>                           |
| <u>Grande Ford</u>                               |
| <u>Grayson Street Garage</u>                     |
| <u>Gregory</u>                                   |
| <u>Greg's Automotive &amp; Truck Center</u>      |
| <u>Greyhound Bus Lines</u>                       |
| <u>Grissom Rd. Automotive</u>                    |
| <u>Guido</u>                                     |
| <u>Gunn Buick</u>                                |
| <u>Gunn Nissan</u>                               |
| <u>Guss Mann</u>                                 |
| <u>H &amp; H Crane Service</u>                   |
| <u>H. Arocha Trucking</u>                        |
| <u>Halliburton Services</u>                      |
| <u>Halo Distributing Co.</u>                     |
| <u>Hamner, Inc/Hamner Trucking</u>               |
| <u>Hancor</u>                                    |

|   |
|---|
| <u>Harlandale Independent School Dist.</u>  |
| <u>Hatch &amp; Kirk Inc.</u>                |
| <u>Hays County Automotive</u>               |
| <u>Hay's County Ready Mix</u>               |
| <u>HEB Construction</u>                     |
| <u>Helotes Park Exxon</u>                   |
| <u>Hendrix GMC</u>                          |
| <u>Herder Truck Lines</u>                   |
| <u>Hernandez Exxon/66</u>                   |
| <u>Hertz Rent-A-Car</u>                     |
| <u>Hertz-Penske Truck Leasing</u>           |
| <u>Hinson's Auto Repair</u>                 |
| <u>Hoan Lee</u>                             |
| <u>Holly Farms</u>                          |
| <u>Howell</u>                               |
| <u>Hydraulic Specialists</u>                |
| <u>Hydraulic Supply &amp; Service</u>       |
| <u>Hyundai South Fork</u>                   |
| <u>I 35 Tire &amp; Services</u>             |
| <u>Ike Jones Exxon</u>                      |
| <u>Import Auto Service</u>                  |
| <u>Industrial Disposal Supply Co.</u>       |
| <u>Ingram Mfg</u>                           |
| <u>Ingram Ready Mix</u>                     |
| <u>International Auto Services</u>          |
| <u>J. C. Hilbigs Phillips 66</u>            |
| <u>Jack Lucas Exxon</u>                     |
| <u>Jack's Automotive</u>                    |
| <u>Jack's Volkswagon</u>                    |
| <u>Jamie's Transmission</u>                 |
| <u>Job Handler</u>                          |
| <u>Joe De La Rosa Exxon</u>                 |
| <u>Joel's Transport</u>                     |
| <u>Juan Chapa Exxon</u>                     |
| <u>Kayser's Automotive</u>                  |
| <u>Kee Motors</u>                           |
| <u>Keith Bryan</u>                          |
| <u>Kelly's Automotive/Texaco</u>            |
| <u>Ken Browns Tire &amp; Service/Texaco</u> |
| <u>Ken's Automotive &amp; Tire Center</u>   |
| <u>Kent's Automotive</u>                    |
| <u>Kerrville Bus</u>                        |
| <u>Kinsel Ford</u>                          |
| <u>Koch Oil</u>                             |
| <u>Krueger Mazda</u>                        |
| <u>Krumm's Cycle Shop</u>                   |
| <u>Kuenstler Machinery</u>                  |

|   |
|---|
| <u>L &amp; S Automotive</u>                       |
| <u>L. Fisher Freight, Inc</u>                     |
| <u>L. H. McCoy Enterprises</u>                    |
| <u>Lack's Furniture</u>                           |
| <u>Lake Garage Inc.</u>                           |
| <u>Lakeway Service Center Exxon</u>               |
| <u>Lamar Automotive/Stuart's North Lamar Auto</u> |
| <u>Landa Texaco</u>                               |
| <u>Lange Truck Lines</u>                          |
| <u>Lauren Concrete Co.</u>                        |
| <u>Leaseway Distribution</u>                      |
| <u>Leasit, Inc.</u>                               |
| <u>Leon Valley Automotive</u>                     |
| <u>Leonard's Garage</u>                           |
| <u>Lift Masters</u>                               |
| <u>Linsey Oil</u>                                 |
| <u>Longhorn Transport</u>                         |
| <u>Loredo, Ignacio</u>                            |
| <u>Louis Transmission</u>                         |
| <u>Lynda's Tire Service</u>                       |
| <u>M &amp; G Building Materials</u>               |
| <u>M.I.C.A. Corporation</u>                       |
| <u>Machinery Maintenance</u>                      |
| <u>Mark Industries</u>                            |
| <u>Martin Garage</u>                              |
| <u>Master-Lube / AIAS, Inc.</u>                   |
| <u>Maxey's Transmission Service</u>               |
| <u>McClelland, Jim</u>                            |
| <u>McDougal's Diesel</u>                          |
| <u>McKenzie Equipment Co.</u>                     |
| <u>McQuaide Auto Service</u>                      |
| <u>Mechanical Sales &amp; Service</u>             |
| <u>Medellin, Manuel</u>                           |
| <u>Medina Valley Exxon</u>                        |
| <u>Mercury Fleet Service, Inc.</u>                |
| <u>Metric Masters</u>                             |
| <u>Metro Transmission</u>                         |
| <u>Midas (Larry Goodman)</u>                      |
| <u>Midway Automotive</u>                          |
| <u>Mike's Exxon</u>                               |
| <u>Miller Gulf</u>                                |
| <u>Minute Lube</u>                                |
| <u>Mission City Beverage</u>                      |
| <u>Mission Transmission</u>                       |
| <u>Mo Gear Co.</u>                                |
| <u>Mobil City Citgo</u>                           |
| <u>Monk, Shannon S.</u>                           |

|   |
|---|
| <u>Moore Industrial Disposal</u>  |
| <u>NACO Auto Service</u>  |
| <u>Nader's Exxon</u>  |
| <u>National Car Rental/Jim Dunworth</u>                                   |
| <u>National Oilwell</u>   |
| <u>Nesloney (Dolph) Auto Repair</u>                                       |
| <u>Nielsen's Garage</u>   |
| <u>Nogalitos Gear</u>   |
| <u>North Central Ford, Inc.</u>   |
| <u>Northeast San Antonio ISD: Madison, Roosevelt and Lee High Schools</u> |
| <u>Northwest Automotive</u>   |
| <u>Oak Hill Exxon</u>   |
| <u>Oak Hills Gulf Service</u>   |
| <u>Ohbayashi Corporation</u>  |
| <u>Oil-N-Lube</u>   |
| <u>Old 81 Exxon</u>   |
| <u>Olmos Park Gulf</u>  |
| <u>Overdrive Transmission</u>   |
| <u>P A G Inc.</u>   |
| <u>Paiz, David</u>  |
| <u>Paka Construction</u>  |
| <u>Pat Matyear Exxon</u>  |
| <u>Patterson Rental Tools</u>   |
| <u>Payton Southwestern</u>  |
| <u>PDQ Concrete</u>   |
| <u>Pennzoil</u>   |
| <u>PEP Boys</u>   |
| <u>Pepsi-Cola Bottling Co.</u>  |
| <u>Perez Gulf Service Station</u>   |
| <u>Performance Auto &amp; Trans.</u>                                      |
| <u>Perrin Beitel Gulf</u>   |
| <u>Phillips Petroleum</u>   |
| <u>Pioneer Cement/Concrete</u>  |
| <u>Pipelayers, Inc.</u>   |
| <u>Pool Co. of Texas, Inc.</u>  |
| <u>Porter, Tom</u>  |
| <u>Preco Machinery Sales, Inc.</u>  |
| <u>Purolator Courier</u>  |
| <u>Quick-Ten-Lube</u>   |
| <u>R &amp; L Automotive</u>   |
| <u>R L Jones Construction</u>   |
| <u>R.P.S. Auto</u>  |
| <u>RAMCO Transmission</u>   |
| <u>Ray's Automotive</u>   |
| <u>Ray's Service Center Exxon</u>   |
| <u>Red Simon Ford</u>   |

|   |
|---|
| <u>Reliable Battery</u>                       |
| <u>Renken &amp; Kuentz Trans</u>              |
| <u>Richard's Transmission</u>                 |
| <u>Richardson Bros.</u>                       |
| <u>Rios Chevron</u>                           |
| <u>Rogelio's Transmission</u>                 |
| <u>Roger's Import Service</u>                 |
| <u>Roger's Mobil Service</u>                  |
| <u>Rowland's Texaco</u>                       |
| <u>Roy's Tire &amp; Auto</u>                  |
| <u>Ruben's Transmission</u>                   |
| <u>Ruiz &amp; Sons Trucking</u>               |
| <u>Ryder Truck Rental, Inc.</u>               |
| <u>S &amp; S Construction</u>                 |
| <u>S. H. Tolliver Company</u>                 |
| <u>S. X. Callahan Inc.</u>                    |
| <u>S.V.M.S. Comal ISD</u>                     |
| <u>Safety Ride (Strafco, Inc.)</u>            |
| <u>San Antonio Equipment</u>                  |
| <u>San Marcos Nissan</u>                      |
| <u>Sani-Fresh</u>                             |
| <u>Schlumberger</u>                           |
| <u>Schneider's Tire &amp; Automotive</u>      |
| <u>Schulz Chevron</u>                         |
| <u>Sequin Diesel Truck Service Inc.</u>       |
| <u>Sequin Motor Co. Ford</u>                  |
| <u>Servtex Materials Co.</u>                  |
| <u>Seven-Up Bottling Co.</u>                  |
| <u>Shorts Garage</u>                          |
| <u>Sirianni Automotive Services</u>           |
| <u>Slater Automotive</u>                      |
| <u>Sleep Well Auto Care Svc. Center</u>       |
| <u>Slimp Oil Company</u>                      |
| <u>Slim's Automotive</u>                      |
| <u>Smith Chevrolet/Motor Sales</u>            |
| <u>Soechting Motors</u>                       |
| <u>Southern Moving &amp; Storage</u>          |
| <u>Southside Truck Repair</u>                 |
| <u>Southwest Lift Inc.</u>                    |
| <u>Southwest Precast</u>                      |
| <u>Southwest San Antonio ISD: Bus Barn</u>    |
| <u>Southwest Texas State University</u>       |
| <u>Southwest Truck Stop</u>                   |
| <u>Sparrow Brothers Automotive</u>            |
| <u>Standard Gypsum (McQueeney Gypsum Co.)</u> |
| <u>Stockyard Service Center</u>               |
| <u>Strawn Merchandise</u>                     |

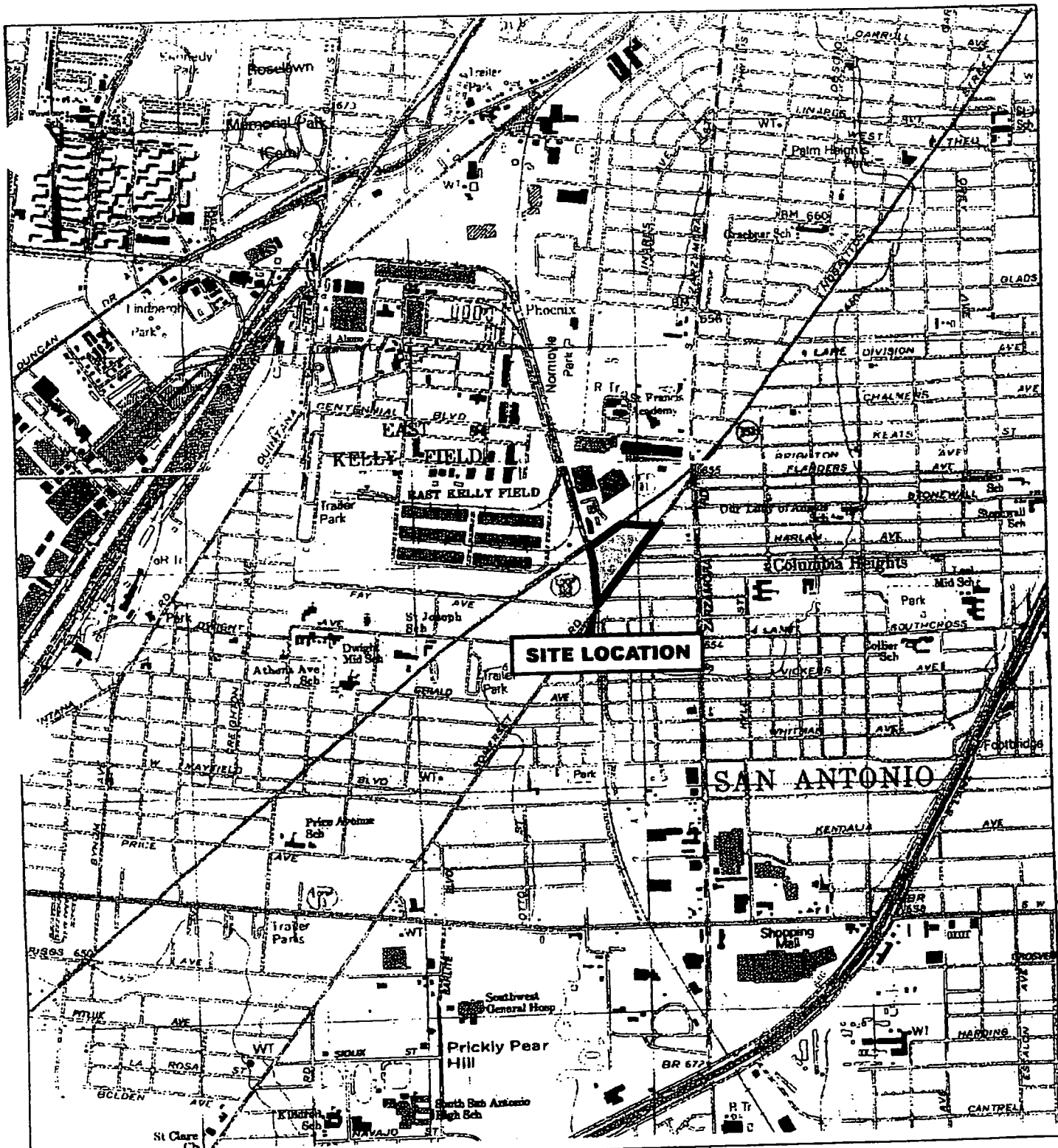
|   |
|---|
| <u>T &amp; H Wrecker</u>                    |
| <u>Temple Hill Automotive Repairs</u>       |
| <u>Terry Greiner Exxon (Terry's Towing)</u> |
| <u>Tesoro Fleet Serv. Co.</u>               |
| <u>Tesoro Petroleum</u>                     |
| <u>Tetra Services Inc.</u>                  |
| <u>Tex Mart No. 1</u>                       |
| <u>Texaco (9919 San Pedro)</u>              |
| <u>Texaco (Kittie Petroleum Inc.)</u>       |
| <u>Texaco (Main St.)</u>                    |
| <u>Texas Disposal Systems</u>               |
| <u>Texas Ready Mix</u>                      |
| <u>The Carriage House</u>                   |
| <u>Thermo King</u>                          |
| <u>Thomas Kaderli Exxon</u>                 |
| <u>Tieken Auto Service</u>                  |
| <u>TKO Equip</u>                            |
| <u>Tom Fairey Company</u>                   |
| <u>Tom Ryan Chevrolet</u>                   |
| <u>Torgeson Equipment Co</u>                |
| <u>Town North Nissan</u>                    |
| <u>Transport Co. of Texas</u>               |
| <u>Trans-Space Transmissions</u>            |
| <u>Travis Boats and Motor</u>               |
| <u>Tri-Star</u>                             |
| <u>Truck Repair &amp; Maintenance</u>       |
| <u>U. C. Transmissions</u>                  |
| <u>U-Haul</u>                               |
| <u>Union Pacific</u>                        |
| <u>United Transmission</u>                  |
| <u>UPS</u>                                  |
| <u>UPS Truck Leasing</u>                    |
| <u>Urbina Transmission</u>                  |
| <u>Vance Jackson Exxon</u>                  |
| <u>Vern's Auto Repair</u>                   |
| <u>Wagner Machinery</u>                     |
| <u>Walker Texaco</u>                        |
| <u>Wallace Lundgren Chevrolet, Inc.</u>     |
| <u>Wards Auto Express</u>                   |
| <u>Watson Distributing Co.</u>              |
| <u>Waukesha-Pearce Industries, Inc.</u>     |
| <u>Wayne's Texaco Service Center</u>        |
| <u>Western Auto</u>                         |
| <u>Western Co.</u>                          |
| <u>Westwood Village Serv. Cntr.</u>         |
| <u>Wilkins, Walter</u>                      |
| <u>Windcrest Mobil</u>                      |



|                              |
|------------------------------|
| <u>Womack Diesel</u>         |
| <u>Woodlake Country Club</u> |
| <u>Woody, Clyde</u>          |
| <u>Zamarripa's Tire</u>      |

**APPENDIX B**

**R&H OIL/TROPICANA SUPERFUND SITE  
SITE MAP**



0 1000 2000  
  
 SCALE IN FEET



MAP PREPARED FROM:  
 USGS 7.5 Min.  
 Topographic Quadrangle  
 San Antonio, Texas and  
 Tarrant, Texas

**WESTON**

**FIGURE A-1**  
**SITE LOCATION MAP**  
**R&H OIL COMPANY**  
**SAN ANTONIO, BEXAR COUNTY, TEXAS**

HRS DOCUMENTATION RECORD

CERCLAID NO. : TXD0575775479

Weston's best service is 10-15-00

EAST KELLY AFB

U.S. HIGHWAY 81

RAILROAD TANK  
LOADING PLATFORM

MISSOURI PACIFIC RR

MAIN TANK  
BATTERY

PROCESSING  
BUILDINGS

API  
SEPARATOR

112  
111  
110  
108  
109  
107

WAREHOUSE

OFFICE

SUNSET ROAD

RESIDENTIAL AREA

TANK  
TANK  
TANK  
TANK  
TANK

D11 - D24

LEGEND

MW1  
D28

MONITOR WELL  
55 GALLON DRUMS

X - X - X - CHAIN LINK FENCE

0 200 400  
SCALE IN FEET

**WESTON**  
ENGINEERING & CONSULTING

**FIGURE A-2**

**SITE PLAN**

R&H OIL COMPANY  
SAN ANTONIO, BEXAR COUNTY, TEXAS

HRS DOCUMENTATION RECORD

CERCLA ID NO.: TXD0575775478

## **APPENDIX C**

### **R&H OIL/TROPICANA SUPERFUND SITE COST ALLOCATION TABLE**

**(See Enclosure 2 of Offer to Settle Letter)**

## **APPENDIX D**

### **R&H OIL/TROPICANA SUPERFUND SITE APPROVAL OF THE DEPARTMENT OF JUSTICE**

The United States Department of Justice hereby approves the proposed Agreement,  
CERCLA Docket Number \_\_\_\_\_ between EPA and the Respondents listed in Appendix A  
thereto.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

John Cruden  
Acting Assistant Attorney General  
Environment and Natural Resources  
Division  
U.S. Department of Justice

**ENCLOSURE 5**  
**SMALL BUSINESS REGULATORY ENFORCEMENT**  
**FAIRNESS ACT ("SBREFA")**



United States  
Environmental Protection  
Agency

Office of Enforcement and Compliance Assurance (2201A)  
EPA 300-F-99-004 September 1999

*Office of Enforcement and Compliance Assurance*  
**INFORMATION SHEET**

## **U.S. EPA Small Business Resources**

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and State environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### **EPA Websites**

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. Many public libraries provide access to the Internet at minimal or no cost.

EPA's Small Business Home Page (<http://www.epa.gov/sbo>) is a good place to start because it links with many other related websites. Other useful websites include:

**EPA's Home Page**  
<http://www.epa.gov>

**Small Business Assistance Programs**  
<http://www.epa.gov/ttn/sbap>

**Compliance Assistance Home Page**  
<http://www.epa.gov/oeca/oc>

**Office of Site Remediation Enforcement**  
<http://www.epa.gov/oeca/osre>

### **Hotlines, Helplines and Clearinghouses**

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance on environmental requirements.

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs. Key hotlines include:

**EPA's Small Business Ombudsman**  
(800) 368-5888

**Hazardous Waste/Underground Tanks/  
Superfund**  
(800) 424-9346

**National Response Center**  
(to report oil and hazardous substance spills)  
(800) 424-8802

**Toxics Substances and Asbestos Information**  
(202) 554-1404

**Safe Drinking Water**  
(800) 426-4791

**Stratospheric Ozone and Refrigerants  
Information**  
(800) 296-1996

**Clean Air Technical Center**  
(919) 541-0800

**Wetlands Hotline**  
(800) 832-7828

**Continued on back**

Office of Regulatory Enforcement Website: <http://www.epa.gov/oeca/ore.html>



Recycled/Recyclable  
Printed with Soy/Canola Ink on paper that contains at least 30% post consumer fiber



### **Compliance Assistance Centers**

In partnership with industry, universities, and other federal and state agencies, EPA has established national Compliance Assistance Centers that provide Internet and "faxback" assistance services for several industries with many small businesses. The following Compliance Assistance Centers can be accessed by calling the phone numbers below and at their respective websites:

#### **Metal Finishing**

(1-800-AT-NMFRC or [www.nmfrc.org](http://www.nmfrc.org))

#### **Printing**

(1-888-USPNEAC or [www.pneac.org](http://www.pneac.org))

#### **Automotive Service and Repair**

(1-888-GRN-LINK or [www.ccar-greenlink.org](http://www.ccar-greenlink.org))

#### **Agriculture**

(1-888-663-2155 or [www.epa.gov/oeca/ag](http://www.epa.gov/oeca/ag))

#### **Printed Wiring Board Manufacturing**

(1-734-995-4911 or [www.pwbrc.org](http://www.pwbrc.org))

#### **The Chemical Industry**

(1-800-672-6048 or [www.chemalliance.org](http://www.chemalliance.org))

#### **The Transportation Industry**

(1-888-459-0656 or [www.transource.org](http://www.transource.org))

#### **The Paints and Coatings Center**

(1-800-286-6372 or [www.paintcenter.org](http://www.paintcenter.org))

### **State Agencies**

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information. For assistance in reaching state agencies, call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org/state.html>.

### **Compliance Incentives**

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Audit Policy (<http://www.epa.gov/oeca/auditpol.html>) and the Small Business Policy (<http://www.epa.gov/oeca/>

[smbusi.html](http://www.epa.gov/oeca/smbusi.html)). These do not apply if an enforcement action has already been initiated.

### **Commenting on Federal Enforcement Actions and Compliance Activities**

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your Standard Industrial Code (SIC) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

### **Your Duty to Comply**

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

***EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.***

**ENCLOSURE 6**  
**EVIDENTARY DOCUMENTS**

# **GOLDEN MATERIAL & SUPPLY INC**

## **Pick Up Order**

Zone \_\_\_\_\_ Date of Pick up 8/2/85  
Client Name DAVIS Truck & Equipment Time In: \_\_\_\_\_  
Address 4300 Highway 90E Time Out: \_\_\_\_\_  
S.A. TX, 78219

### **Tank Specifications**

Gauge In: 18 Gauge Out: 27

Total Gallons: 539

I hereby certify, as agent of the above named company, that the spent oil picked-up by Golden Material & Supply, Inc. does not contain hazardous waste.

Driver: Aut Customer: Good Customer

Next Scheduled Pick up \_\_\_\_\_

Comments: There is lots of mud which was  
here in port so that we not get stuck

From: Origin ID: (214)665-7345  
Connie Suttie (6SF-AC)  
U.S. EPA  
1445 Ross Avenue

Dallas, TX 75202



Ship Date: 17MAY06  
ActWgt: 1 LB  
System#: 4905731/INET2400  
Account#: S \*\*\*\*\*

REF: 01182.004.04.0C.1A.06MB



Delivery Address Bar Code

SHIP TO: (254)675-8377

BILL SENDER

**Yolanda Davis**  
**Davis Truck & Equipment**  
**90158 South Highway 6**

**Clifton, TX 76634**

**STANDARD OVERNIGHT**

**THU**

Deliver By:  
18MAY06

TRK# 7920 9959 7572

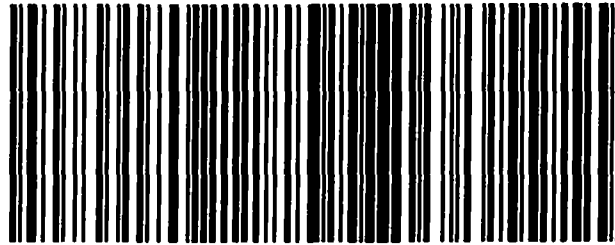
FORM  
0201

**AUS**

**AM**

**76634 -TX-US**

**A8 ACTA**



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.**

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Track Shipments  
Detailed Results [Quick Help](#)

|                        |              |                     |                   |
|------------------------|--------------|---------------------|-------------------|
| <b>Tracking number</b> | 792099597572 | <b>Reference</b>    | 01182.004.04.0C   |
| <b>Ship date</b>       | May 17, 2006 |                     | .1A.06MB          |
|                        |              | <b>Destination</b>  | Clifton, TX       |
|                        |              | <b>Service type</b> | Standard Envelope |
|                        |              | <b>Weight</b>       | 1.0 lbs.          |

**Status**      Delivery exception

| Date/Time    | Activity | Location                          | Details        |
|--------------|----------|-----------------------------------|----------------|
| May 26, 2006 | 12:57 PM | Package returned to shipper       | WACO, TX       |
| May 25, 2006 | 7:38 PM  | At local FedEx facility           | WACO, TX       |
| May 19, 2006 | 9:14 AM  | Delivery exception                | WACO, TX       |
|              | 7:45 AM  | On FedEx vehicle for delivery     | WACO, TX       |
| May 18, 2006 | 5:20 PM  | At local FedEx facility           | WACO, TX       |
|              | 4:47 PM  | Delivery exception                | WACO, TX       |
|              | 8:24 AM  | On FedEx vehicle for delivery     | WACO, TX       |
|              | 8:16 AM  | At local FedEx facility           | WACO, TX       |
|              | 3:54 AM  | Departed FedEx location           | FORT WORTH, TX |
| May 17, 2006 | 11:52 PM | Departed FedEx location           | FORT WORTH, TX |
|              | 10:47 PM | Arrived at FedEx location         | FORT WORTH, TX |
|              | 8:31 PM  | Left origin                       | DALLAS, TX     |
|              | 12:34 PM | Picked up                         | DALLAS, TX     |
|              | 11:36 AM | Package data transmitted to FedEx |                |

Signature proof

Email results

Track more shipments

Subscribe to tracking updates (optional)

Your Name: Your Email Address: 

Email address

Language

Exception updates

Delivery updates

|                      |         |
|----------------------|---------|
| <input type="text"/> | English |
| <input type="text"/> | English |
| <input type="text"/> | English |
| <input type="text"/> | English |

☐☐☐☐☐☐☐☐Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or non-English characters.

## Pick Up Order

Zone \_\_\_\_\_ Date of Pick up 8/2/85

Client Name DAVIS Truck & Equipment Time In: \_\_\_\_\_

Address 4300 Highway 90E Time Out: \_\_\_\_\_

S.A. TX, 78219

### Tank Specifications

Gauge In: 18 Gauge Out: 27

Total Gallons: 539

I hereby certify, as agent of the above named company, that the spent oil picked-up by Golden Material & Supply, Inc. does not contain hazardous waste.

Driver: Art Customer: Goodfellow

Next Scheduled Pick up \_\_\_\_\_

Comments: There is lots of mud which was

here to port so that do not get stuck

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


**SUPERPAGES.COM®**

Español

[HOME PAGE](#)
[MY DIRECTORY](#)
[YELLOW PAGES](#)
[PEOPLE PAGES](#)
[CITY PAGES](#)
[CONSUMER CENTER](#)
[ADV](#)

Yellow Pages

**PriceQuotes.com - Get New Car Quotes**

Rated Forbes "Best Of Web" For Online Car Buying. Get Free, Multiple Price-Quotes From Dealers In Your Area On New Cars, Trucks, Vans And SUVs.

[www.pricequotes.com](http://www.pricequotes.com)
**What's your Car Worth at Trade-In?**

Get the Trade-In-Value for your old car &amp; Save on a New Car with a free no-hassle price quote &amp; there's no obligation to buy.

email

[Trade-in-value.com](http://Trade-in-value.com)
[Home](#) → [Yellow Pages](#) → **Davis Truck & Equipment (1 - 2 of 2)**

Showing Yellow Pages results for "Davis Truck &amp; Equipment"



More results


**Search Again**

Show search form

**Related Categories**
[Automotive](#)
[Dealers](#)
[Community & Government](#)
[Utilities](#)
**Narrow Your Results**

Using information provided by businesses

**Products**

 • [Trucks](#) (2)

 • [Vans](#) (2)

**Customers Served**

 • [Industrial](#) (1)

 Yellow Pages Merchandise ☒ eBay Results ☒ Web Results ☒
☒ Show: In Clifton TX only

☒ Map: Show Results on Map

**Listings**
**Davis Truck & Equipment**

90158 South Highway 6, Clifton, TX 76634

(254) 675-8377

[business profile](#) | [phone](#) | [map](#) | [save](#)
**Davis Truck & Equipment of San Antonio Inc**

Po Box 33, Clifton, TX 76634

(210) 333-5570

[business profile](#) | [phone](#) | [map](#) | [save](#)
☒ Show: In Clifton TX only

☒ Map: Show Results on Map

1 - 2 of 2

[Help](#)

 data by **ACXION** Copyright © 2005 Acxiom.